

Michigan Register

Issue No. 17– 2003 (Published October 1, 2003)



GRAPHIC IMAGES IN THE MICHIGAN REGISTER

COVER DRAWING

Michigan State Capitol:

This image, with flags flying to indicate that both chambers of the legislature are in session, may have originated as an etching based on a drawing or a photograph. The artist is unknown. The drawing predates the placement of the statue of Austin T. Blair on the capitol grounds in 1898.

(Michigan State Archives)

PAGE GRAPHICS

Capitol Dome:

The architectural rendering of the Michigan State Capitol's dome is the work of Elijah E. Myers, the building's renowned architect. Myers inked the rendering on linen in late 1871 or early 1872. Myers' fine draftsmanship, the hallmark of his work, is clearly evident.

Because of their size, few architectural renderings of the 19th century have survived. Michigan is fortunate that many of Myers' designs for the Capitol were found in the building's attic in the 1950's. As part of the state's 1987 sesquicentennial celebration, they were conserved and deposited in the Michigan State Archives.

(Michigan State Archives)

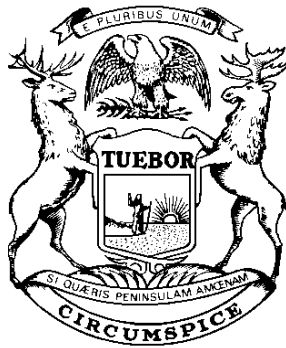
East Elevation of the Michigan State Capitol:

When Myers' drawings were discovered in the 1950's, this view of the Capitol – the one most familiar to Michigan citizens – was missing. During the building's recent restoration (1989-1992), this drawing was commissioned to recreate the architect's original rendering of the east (front) elevation.

(Michigan Capitol Committee)

Michigan Register

Published pursuant to § 24.208 of
The Michigan Compiled Laws



Issue No. 17 — 2003

(This issue, published October 1, 2003, contains
documents filed from September 1, 2003 to September 15, 2003)

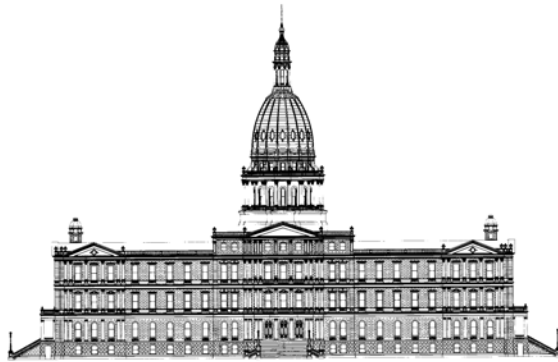
Compiled and Published by the
Office of Regulatory Reform

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Printed in the United States of America

Michigan Register (ISSN 0892-3124). Published twice per month, with a cumulative index, by the Office of Regulatory Reform, pursuant to §24.208 of the Michigan Compiled Laws. Subscription \$110 per year, postpaid to points in the U.S. First class postage paid at Lansing, Michigan. Direct all mail concerning subscriptions to Office of Regulatory Reform, Department of Management and Budget, 1st Floor Ottawa Building, 611 West Ottawa, Lansing, MI 48909.

Brian D. Devlin, Director, Office of Regulatory Reform; **Deidre O'Berry**, Administrative Assistant for Operations; **James D. Lance**, Administrative Assistant for Publications.

Jennifer M. Granholm, Governor



John Cherry, Lieutenant Governor

PREFACE

PUBLICATION AND CONTENTS OF THE MICHIGAN REGISTER

The Office of Regulatory Reform publishes the *Michigan Register*.

While several statutory provisions address the publication and contents of the *Michigan Register*, two are of particular importance.

MCL 24.208 states:

Sec. 8 (1) The office of regulatory reform shall publish the Michigan register at least once each month. The Michigan register shall contain all of the following:

- (a) Executive orders and executive reorganization orders.
 - (b) On a cumulative basis, the numbers and subject matter of the enrolled senate and house bills signed into law by the governor during the calendar year and the corresponding public act numbers.
 - (c) On a cumulative basis, the numbers and subject matter of the enrolled senate and house bills vetoed by the governor during the calendar year.
 - (d) Proposed administrative rules.
 - (e) Notices of public hearings on proposed administrative rules.
 - (f) Administrative rules filed with the secretary of state.
 - (g) Emergency rules filed with the secretary of state.
 - (h) Notice of proposed and adopted agency guidelines.
 - (i) Other official information considered necessary or appropriate by the office of regulatory reform.
 - (j) Attorney general opinions.
 - (k) All of the items listed in section 7(1) after final approval by the certificate of need commission or the statewide health coordinating council under section 22215 or 22217 of the public health code, 1978 PA 368, MCL 333.22215 and 333.22217.
- (2) The office of regulatory reform shall publish a cumulative index for the Michigan register.
 - (3) The Michigan register shall be available for public subscription at a fee reasonably calculated to cover publication and distribution costs.
 - (4) If publication of an agency's proposed rule or guideline or an item described in subsection (1)(k) would be unreasonably expensive or lengthy, the office of regulatory reform may publish a brief synopsis of the proposed rule or guideline or item described in subsection (1)(k), including information on how to obtain a complete copy of the proposed rule or guideline or item described in subsection (1)(k) from the agency at no cost.
 - (5) An agency shall transmit a copy of the proposed rules and notice of public hearing to the office of regulatory reform for publication in the Michigan register.

MCL 4.1203 states:

Sec. 203. (1) The Michigan register fund is created in the state treasury and shall be administered by the office of regulatory reform. The fund shall be expended only as provided in this section.

- (2) The money received from the sale of the Michigan register, along with those amounts paid by state agencies pursuant to section 57 of the administrative procedures act of 1969, 1969 PA 306, MCL 24.257, shall be deposited with the state treasurer and credited to the Michigan register fund.
- (3) The Michigan register fund shall be used to pay the costs preparing, printing, and distributing the Michigan register.
- (4) The department of management and budget shall sell copies of Michigan register at a price determined by the office of regulatory reform not to exceed cost of preparation, printing, and distribution.
- (5) Notwithstanding section 204, beginning January 1, 2001, the office of regulatory reform shall make the text of the Michigan register available to the public on the internet.
- (6) The information described in subsection (5) that is maintained by the office of regulatory reform shall be made available in the shortest feasible time after the information is available. The information described in subsection (5) that is not maintained by the office of regulatory reform shall be made available in the shortest feasible time after it is made available to the office of regulatory reform.
- (7) Subsection (5) does not alter or relinquish any copyright or other proprietary interest or entitlement of this state relating to any of the information made available under subsection (5).
- (8) The office of regulatory reform shall not charge a fee for providing the Michigan register on the internet as provided in subsection (5).
- (9) As used in this section, "Michigan register" means that term as defined in section 5 of the administrative procedures act of 1969, 1969 PA 306, MCL 24.205.

CITATION TO THE MICHIGAN REGISTER

The *Michigan Register* is cited by year and issue number. For example, 2001 MR 1 refers to the year of issue (2001) and the issue number (1).

CLOSING DATES AND PUBLICATION SCHEDULE

The deadlines for submitting documents to the Office of Regulatory Reform for publication in the *Michigan Register* are the first and fifteenth days of each calendar month, unless the submission day falls on a Saturday, Sunday, or legal holiday, in which event the deadline is extended to include the next day which is not a Saturday, Sunday, or legal holiday. Documents filed or received after 5:00 p.m. on the closing date of a filing period will appear in the succeeding issue of the *Michigan Register*.

The Office of Regulatory Reform is not responsible for the editing and proofreading of documents submitted for publication.

Documents submitted for publication should be delivered or mailed in an electronic format to the following address: MICHIGAN REGISTER, Office of Regulatory Reform, Department of Management and Budget, 1st Floor Ottawa Building, 611 West Ottawa, Lansing, MI 48909.

RELATIONSHIP TO THE MICHIGAN ADMINISTRATIVE CODE

The *Michigan Administrative Code* (1979 edition), which contains all permanent administrative rules in effect as of December 1979, was, during the period 1980-83, updated each calendar quarter with the publication of a paperback supplement. An annual supplement contained those permanent rules, which had appeared in the 4 quarterly supplements covering that year.

Quarterly supplements to the Code were discontinued in January 1984, and replaced by the monthly publication of permanent rules and emergency rules in the *Michigan Register*. Annual supplements have included the full text of those permanent rules that appear in the twelve monthly issues of the *Register* during a given calendar year. Emergency rules published in an issue of the *Register* are noted in the annual supplement to the Code.

SUBSCRIPTIONS AND DISTRIBUTION

The *Michigan Register*, a publication of the State of Michigan, is available for public subscription at a cost of \$110.00 per year. Submit subscription requests to: DMB, Office of Regulatory Reform, 1st Floor Ottawa Building, 611 West Ottawa, Lansing, MI 48909. Checks Payable: State of Michigan. Any questions should be directed to the Office of Regulatory Reform (517) 241-1679.

INTERNET ACCESS

The *Michigan Register* can be viewed free of charge on the Internet web site of the Office of Regulatory Reform: www.michigan.gov/orr

Issue 2000-3 and all subsequent editions of the *Michigan Register* can be viewed on the Office of Regulatory Reform Internet web site. The electronic version of the *Register* can be navigated using the blue highlighted links found in the Contents section. Clicking on a highlighted title will take the reader to related text, clicking on a highlighted header above the text will return the reader to the Contents section.

Brian D. Devlin, Director
Office of Regulatory Reform

2003 PUBLICATION SCHEDULE

Issue No.	Closing Date for Filing or Submission Of Documents (5 p.m.)	Publication Date
1	January 15, 2003	February 1, 2003
2	February 1, 2003	February 15, 2003
3	February 15, 2003	March 1, 2003
4	March 1, 2003	March 15, 2003
5	March 15, 2003	April 1, 2003
6	April 1, 2003	April 15, 2003
7	April 15, 2003	May 1, 2003
8	May 1, 2003	May 15, 2003
9	May 15, 2003	June 1, 2003
10	June 1, 2003	June 15, 2003
11	June 15, 2003	July 1, 2003
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16	September 1, 2003	September 15, 2003
17	September 15, 2003	October 1, 2003
18	October 1, 2003	October 15, 2003
19	October 15, 2003	November 1, 2003
20	November 1, 2003	November 15, 2003
21	November 15, 2003	December 1, 2003
22	December 1, 2003	December 15, 2003
23	December 15, 2003	January 1, 2004
24	January 1, 2004	January 15, 2004

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ADMINISTRATIVE RULES
FILED WITH THE SECRETARY OF STATE

MCL 24.208 states in part:

“Sec. 8. (1) The office of regulatory reform shall publish the Michigan register at least once each month. The Michigan register shall contain all of the following:

* * *

(f) Administrative rules filed with the secretary of state.”

ADMINISTRATIVE RULES

ORR # 2002-026

DEPARTMENT OF AGRICULTURE

RACING COMMISSIONER

GENERAL RULES

Filed with the Secretary of State on September 3, 2003
This rule takes effect 7 days after filing with the Secretary of State

(By authority conferred on the racing commissioner by section 7 of 1995 PA 279, MCL 431.307) R 431.1001 to 431.4290 of the Michigan Administrative Code are amended by adding R 431.2061, as follows:

PART 2. MUTUELS

R 431. 2061 Simulcast purse pool distribution.

Rule 2061. (1) The commissioner shall annually issue a simulcast purse pool distribution order in accordance with sections 2(k), 3, and 19 of the act.

For purposes of simulcast purse pool distribution under section 19 (1)(a) and (b) of the act, all of the following provisions apply:

(a) "Thoroughbred simulcasts", "thoroughbred handle," and "thoroughbred purse pools" include handle in Michigan from regulated pari-mutuel races where jockeys ride horses as defined by R 431.1010 (e) and the act.

(b) "Standardbred simulcasts", "standardbred handle," and "standardbred purse pools" include handle in Michigan from regulated pari-mutuel races where drivers drive horses in harness, as defined by R 431.1005(e) and the act.

(c) Any revenues or wagering generated or occurring at a location receiving audio or visual transmissions of any race are the handle of that location and not the handle of the licensee sending or in control of sending the transmissions.

(3) Each year, all certified horsemen organizations may receive an amount approved by order of the commissioner from the simulcast purse pool to use for general expenses. If, by February 15 of each year, all certified horsemen organizations agree to the amount that each organization is to receive then these amounts shall become the order of the commissioner, provided that the amount for each certified horsemen's organization does not exceed 1.5% of the simulcast purse pool.

(4) The commissioner may audit purse pool accounts and expenditures and request and receive a full accounting of purse pool accounts.

(5) Any organization or person unlawfully interfering with the implementation or enforcement of a distribution order issued under this rule shall be subject to sanctions. Those sanctions may include, but are not limited to, the revocation or suspension of a license or horsemen organization's certification, or both, granted under the act.

ADMINISTRATIVE RULES

ORR # 2003-004

DEPARTMENT OF CONSUMER AND INDUSTRY SERVICES

DIRECTOR'S OFFICE

BARBERS

Filed with the Secretary of State on September 11, 2003.
These rules take effect 7 days after filing with the Secretary of State

(By authority conferred on the director of the department of consumer and industry services by section 308 of 1980 PA 299, MCL 339.308 and Executive Reorganization Order No. 1996-2, MCL 445.2001)

R 339.6001, R 339.6003, and R 339.6045 are amended, and R 339.6039 is added to the Michigan Administrative Code.

PART 1. GENERAL PROVISIONS

R 339.6001 Definitions.

Rule 1. (1) As used in these rules:

- (a) "Act" means 1980 PA 299, MCL 339.101 et seq.
 - (b) "Board" means the board of barber examiners.
 - (c) "Chairperson" means the person who is authorized to convene and moderate a public body meeting on behalf of the board.
 - (d) "Political subdivision" means a county, city, village, township, school district, or authority created pursuant to a local ordinance.
- (2) The terms defined in the act have the same meanings when used in these rules.

R 339.6003 Board meetings.

Rule 3. Board meetings are conducted in accordance with 1975 PA 267, MCL 15.261 et seq., the open meetings act, and are open to the public.

PART 3. SANITATION

R 339.6039 Blood Spill Procedures.

Rule 39. (1) A licensee, barber shop owner, instructor, student, or barber school owner shall comply with all of the following provisions if a blood spill occurs:

- (a) Temporarily suspend the service being performed.
- (b) Provide the patron or other person who is bleeding with adequate first aid supplies so that the bleeding can be stopped and the wound covered.
- (c) Sterilize any equipment, implements, or tools which have come into contact with the blood spill.
- (d) Immediately discard porous materials or supplies which have come into contact with a blood spill.

- (e) Immediately clean floors, counters, chairs, or other durable surfaces in the area of the blood spill with a sodium hypochlorite solution, such as household bleach, or other hospital-grade disinfectant.
- (f) Dispose of blood spill waste in clearly labeled leakproof containers or bags.
- (2) A licensee, student, or instructor shall not perform services or demonstrations on a patron until all bleeding has ceased and all wounds covered. A licensee, student, or instructor shall keep an open sore, cut, burn, or other injury on patrons or on themselves covered at all times when performing services or demonstrations.

PART 4. BARBER COLLEGES

R 339.6045 Student conduct; education requirements.

Rule 45. (1) A barber college shall not permit a student to work on a public patron in a barber college until he or she presents a student license issued to the student. A student shall comply strictly with the rules governing barbers and barber shops in this state.

(2) For the purpose of meeting the equivalent tenth grade education requirement as used in the act, the department shall accept a score of 39 or higher, before January, 2002, or, for tests administered in January, 2002 or later, 390 or higher using the general educational development (GED) test, or the ability to benefit (ATB) basic skills tests approved by the U.S. department of education as constituting prima facie evidence of equivalence to a tenth grade education.

(3) For the purpose of meeting the requirements of graduation from an accredited high school as used in the act, the department shall accept successful completion of the general educational development (GED) test or the ability to benefit (ATB) scholastic level exam as constituting prima facie evidence of demonstrating equivalence to a high school diploma.

(4) Information about the general educational development certification (GED) test is available from the Michigan Department of Career Development, Victor Office Center, 201 N. Washington Square, Lansing MI 48913, telephone: 517/373-1692. Information about the ability to benefit basic skills tests (WBST) and the scholastic level exam (SLE) is available from Wonderlic, Inc., 1795 N. Butterfield Road, Libertyville IL 60048-1238. Telephone: toll free 877/568-5791 or local: 847/247-2530. Internet address: www.wonderlic.com.

**PROPOSED ADMINISTRATIVE RULES,
NOTICES OF PUBLIC HEARINGS**

MCL 24.242(3) states in part:

“... the agency shall submit a copy of the notice of public hearing to the office of regulatory reform for publication in the Michigan register. An agency's notice shall be published in the Michigan register before the public hearing and the agency shall file a copy of the notice of public hearing with the office of regulatory reform.”

MCL 24.208 states in part:

“Sec. 8. (1) The office of regulatory reform shall publish the Michigan register at least once each month. The Michigan register shall contain all of the following:

* * *

(d) Proposed administrative rules.

(e) Notices of public hearings on proposed administrative rules.”

PROPOSED ADMINISTRATIVE RULES

ORR # 2000-090

DEPARTMENT OF CONSUMER AND INDUSTRY SERVICES

DIRECTOR'S OFFICE

HOMES FOR THE AGED

Filed with the Secretary of State on _____.
These rules take effect 7 days after filing with the Secretary of State

(By authority conferred on the director of the department of consumer and industry services by Section 427 of 1965 PA 380, Section 2233 of 1978 PA 368, Executive Reorganization Order Nos. 1996-1 and 1996-2, MCL 16.527, 333.2233, 330.3101, and 445.2001)

R 325.1801, R 325.1811, R 325.1812, R 325.1813, R 325.1815, R 325.1816, R 325.1819, R 325.1821, R 325.1825, R 325.1827, R 325.1829, R 325.1831, R 325.1833, R 325.1835, R 325.1836, R 325.1837, R 325.1839, R 325.1841, R 325.1843, R 325.1845, R 325.1847, R 325.1851, R 325.1853, R 325.1855, R 325.1857, R 325.1859, R 325.1861, R 325.1863, R 325.1865, R 325.1867, R 325.1871, R 325.1872, R 325.1873, R 325.1874, R 325.1875, R 325.1876, R 325.1877, R 325.1878, R 325.1879, R 325.1880, R 325.1881, R 325.1882, R 325.1883, R 325.1884, R 325.1885, R 325.1886, R 325.1887, R 325.1888, R 325.1889, R 325.1890, and R 325.1891 of the Michigan Administrative Code are rescinded, and R 1901, R 1911, R 1912, R 1913, R 1914, R 1915, R 1916, R 1917, R 1921, R 1922, R 1923, R 1924, R 1931, R 1932, R 1933, R 1934, R 1935, R 41, R 1942, R 1943, R 1944, R 1951, R 1952, R 1953, R 1954, R 1961, R 1962, R 1963, R 1964, R 1965, R 1966, R 1967, R 1968, R 1969, R 1970, R 1971, R 1972, R 1973, R 1974, R 1975, R 1976, R 1977, R 1978, R 1979, R 1980, and R 1981 are added to the Code as follows:

R 325.1801 ~~Definitions.~~ **Rescinded.**

Rule 1. (1) ~~The terms used in these rules have the same meaning as prescribed in the act.~~

(2) ~~"Act" means Act No. 139 of the Public Acts of 1956, as amended, being SS331.651 to 331.660 of the Michigan Compiled Laws.~~

(3) ~~"Department" means the department of public health.~~

(4) ~~"Director" means the director of public health.~~

(5) ~~"Advisory committee" means the director's advisory committee on nursing homes and homes for the aged.~~

(6) ~~"Home" means a home for the aged.~~

(7) ~~"Distinct part" means a clearly identifiable area or section within a licensed home consisting of at least a resident unit, wing, floor, or building containing contiguous rooms providing a specific type or level of care and service. Appropriate personnel are regularly assigned and working in the distinct part under qualified direction. The distinct part may share services, such as management services, building maintenance and laundry, with other units.~~

R 325.1811 License applications; authorized representatives; notices. Rescinded.

Rule 11. (1) An application for a license for a home shall be made on forms authorized and provided by the director and shall be completed in full.

(2) An application for a license for a home shall be made and signed by the individual desiring to establish, conduct, or maintain a licensed home, or by the authorized representative of any individual, copartnership, corporation, or association including any receiver, trustee, assignee, or similar representative thereof, desiring to establish, conduct or maintain a licensed home.

(3) An authorized representative shall be authorized by the applicant to make application and amendments to the application; to provide the director with all information necessary to his determination made in connection with the issuance of a license; and to enter into agreements with the director in connection with the issuance of a license.

(4) A certificate of appointment or other written evidence of the authority vested in the authorized representative shall be attached to the application.

(5) In matters relating to the licensing of the home, the director may continue to deal with the authorized representative until the director is notified in writing that a new authorized representative has been appointed with equal power and the former authorized representative is no longer authorized to act.

(6) The director may use any appropriate means of notice and may direct notices of any administrative action pursuant to licensing of the home to the applicant or the authorized representative, either personally or by mail at the address of the establishment or institution.

R 325.1812 Licenses and permits; issuance. Rescinded.

Rule 12. (1) Upon determination that the home complies with the act and the requirements of these rules, the director shall issue a license.

(2) The director may issue a provisional license or a temporary unrenewable permit or may deny a license or temporary unrenewable permit in accord with his powers and these rules.

(3) The director, upon issuing a provisional license or denying a license, shall give the applicant or the authorized representative written notice of his action and the reasons therefore.

(4) The director may issue a temporary unrenewable permit not to exceed 6 months when:

(a) He has been presented with evidence that is satisfactory to him that a license can be granted to the applicant within the period of the permit and such application has been made following new construction or change of ownership; or

(b) He has received a recommendation from the state fire marshal that he issue a temporary unrenewable permit.

(5) The director shall cause to have indorsed on the license, provisional license, or temporary unrenewable permit the number of resident beds for which the license or permit is issued.

(6) An establishment or institution issued a license, provisional license, or temporary unrenewable permit as a home, without regard to any other license, is subject to the standards required for homes for the authorized number of resident beds pursuant to which the license or permit is issued.

R 325.1813 Licenses and permits; general provisions. Rescinded.

Rule 13. (1) A license, provisional license, or temporary unrenewable permit is not transferable between owners, or from 1 location to another, or from 1 part of an institution to another.

(2) The applicant or the authorized representative shall give written notice to the department within 5 business days of any changes in information as submitted in the application pursuant to which a license, provisional license, or temporary unrenewable permit has been issued.

~~(3) The number of residents cared for in a home and the complement of resident beds shall not exceed the number authorized by the license, provisional license, or temporary unrennewable permit.~~

~~(4) The current license, provisional license, or temporary unrennewable permit shall be posted in a conspicuous public area of the home.~~

R 325.1815 Hearing requests. Rescinded.

~~Rule 15. A party in interest to the application for or issuance of a license, provisional license, or temporary unrennewable permit aggrieved by an order of the director may file a written request for a hearing with the director which shall be accompanied by a written statement setting forth the reasons for the request and, where appropriate, affirming or denying each item of noncompliance listed in conjunction with the order. However, nothing contained herein shall interfere with the director in emergency situations involving the public health or welfare from making orders immediately effective, or taking action summarily, or issuing such interim orders as he deems necessary pending final determination of a contested order.~~

R 325.1816 Hearing procedures. Rescinded.

~~Rule 16. A hearing shall be held at the offices of the department at Lansing, Michigan, or such other place as the director may designate. Notice of hearing shall state the date, time, place and a brief statement of the problems involved and shall be mailed to or served personally upon the party in interest requesting the hearing at least 15 days prior thereto.~~

R 325.1819 Prohibited use of words "state approved" and "hospital." Rescinded.

~~Rule 19. (1) The use of the words "state approved" or words having a similar meaning is prohibited unless the home is operated under a current license.~~

~~(2) The use of the word "hospital" or words having a similar meaning is prohibited.~~

R 325.1821 Advisory committee on nursing homes and homes for aged. Rescinded.

~~Rule 21. (1) The advisory committee in existence when these rules become effective is continued.~~

~~(2) The advisory committee shall advise the director on matters, related to the home licensing program, which he places before it for consideration. The director may take into consideration, in his determinations, any recommendations of the advisory committee.~~

~~(3) The terms of members of the advisory committee shall terminate in accord with their appointment. Appointments thereafter made shall be for a 3 year term.~~

~~(4) The committee shall be appointed by the director and shall consist of 15 persons representing the management of nursing homes and homes for the aged, state and county government, and the public at large.~~

~~(5) Service on the advisory committee is voluntary, and accordingly without compensation or reimbursement for expenses.~~

R 325.1825 Delegation of inspections. Rescinded.

~~Rule 25. The director may delegate the inspection of homes to a local health department, and shall establish procedures and policies concerning such delegation.~~

R 325.1827 Compliance with other laws, codes, and ordinances. Rescinded.

~~Rule 27. A home shall comply with all applicable state laws and shall furnish such evidence as the director shall require to show compliance with all local laws, codes and ordinances.~~

R 325.1829 Conversions to homes for aged. Rescinded.

~~Rule 29. A nursing home continuously in operation after the effective date of these rules and having a license, provisional license, or temporary unrenovable permit on the effective date of these rules may convert to a home for the aged and is not required to meet in the authorized area under such existing license the additional requirements for conversion of an existing facility to a home for the aged as hereinafter set forth.~~

R 325.1831 Governing bodies, administrators, and supervisors. Rescinded.

~~Rule 31. (1) A governing body shall assume full legal responsibility for the overall conduct and operation of the home, or in the absence of an organized governing body, the owner or person legally responsible for the overall conduct and operation of the home shall carry out the functions of the governing body.~~

~~(2) The governing body shall appoint a competent administrator and shall delegate to him the responsibility for operating the home in accordance with policies established by the governing body.~~

~~(3) An administrator and all other persons in supervisory positions shall at least be 21 years of age.~~

~~(4) An administrator shall designate in writing a competent person at least 21 years of age to carry out the responsibilities and duties of the administrator in his absence.~~

R 325.1833 Admission and retention of residents. Rescinded.

~~Rule 33. (1) A home shall not accept for care a resident with a mental condition disturbing to other residents or personnel. A resident, who after admission to the home shows serious mental disturbances, shall be removed from the home.~~

~~(2) A person admitted to residence in the home, on admission, shall present a certificate from a licensed physician indicating that he is free from communicable disease.~~

~~(3) A person admitted to residence in the home shall have a chest x ray or shall have had a chest x ray performed within the 3 months prior to admission. A report of the results of the chest x ray shall be available in the home.~~

~~(4) A written resident care policy shall govern the annual testing of residents for tuberculosis.~~

~~(5) A person requiring nursing care other than the services provided by a home health agency shall not be admitted to a home.~~

~~(6) A resident in the home who becomes ill, injured, or disabled following admission, and requires intensive nursing care or nursing care on a 24 hour basis, shall not be permitted to remain in the home.~~

R 325.1835 Employees' health. Rescinded.

~~Rule 35. (1) A person on duty in the home shall be in good health and free from communicable disease. Files shall be maintained containing evidence of adequate health supervision, such as results of preemployment and periodic physical examinations, including intradermal skin tests for tuberculosis and chest x rays, and records of illnesses and accidents occurring on duty.~~

~~(2) An employee shall have a chest x ray and an intradermal skin test for tuberculosis at the beginning of his term of employment. At intervals of 1 year thereafter, an employee shall have an intradermal skin test for tuberculosis. If at any time this skin test is positive, no annual repetition of this skin test shall be made, but the employee shall thereafter have an annual chest x ray. A report of the results of such tests shall be included in the individual employee's personnel file.~~

R 325.1836 Illnesses and accidents. Rescinded.

~~Rule 36. (1) In case of an accident or sudden change in a resident's condition, the administrator or his designated representative shall immediately notify the physician, the next of kin or legal guardian, and the person or agency responsible for placing and maintaining the resident in the home.~~

~~(2) The occurrence of a communicable disease shall be reported immediately to the department and the local health department.~~

~~(3) The occurrence of poisoning, food borne disease, food borne poisoning, or diarrhea, where 2 or more persons, either residents or personnel, are affected, shall be reported immediately to the department and the local health department.~~

~~(4) The administrator or his designated representative shall furnish all available pertinent information related to such disease or poisoning to the department and the local health department.~~

~~(5) Immediate investigation of the cause of an accident or incident involving a resident, employee, or visitor shall be initiated by the administrator, and an appropriate accident record or incident report completed. This accident record or incident report shall be maintained in the administrator's office.~~

R 325.1837 Deaths of residents. Rescinded.

~~Rule 37. When a resident dies, the administrator shall immediately notify the physician, the next of kin or legal guardian, and the person or agency responsible for placing and maintaining the resident in the home. A signed record of this notification including the names of the persons notified and the time notification was made shall be recorded and such record shall be maintained in the administrator's office.~~

R 325.1839 Visitors and religious ministrations. Rescinded.

~~Rule 39. (1) Relatives and friends are allowed to visit residents at reasonable hours, to be determined by the administrator of the home.~~

~~(2) Religious ministration at the request of the resident or his family is permitted at reasonable hours.~~

R 325.1841 Personnel; general provisions. Rescinded.

~~Rule 41. (1) The feeling, attitudes, sensibility, and comfort of a resident shall be fully respected and given meticulous attention at all times by all personnel.~~

~~(2) Personnel shall wear clean garments, maintain a high degree of personal cleanliness, and conform to hygienic practices while on duty.~~

~~(3) The administrator of the home shall designate 1 person on each shift to be the supervisor of resident care during that shift, and the supervisor of resident care shall be fully dressed, awake, and on the premises when on duty.~~

~~(4) The supervisor of resident care on each shift shall:~~

~~(a) Assure that residents are treated with kindness and respect.~~

~~(b) Protect residents from accidents and injuries.~~

~~(c) Be responsible for safety of residents in case of emergency.~~

~~(5) A person shall not be assigned to duty as night supervisor of resident care who has been on duty either in the home or at any other place of business during the preceding 8 hours.~~

~~(6) A sufficient number of attendant personnel shall be on duty on each shift to assist residents with their personal care under the direction of the supervisor of resident care.~~

R 325.1843 Personal care of residents. Rescinded.

~~Rule 43. (1) A resident shall have necessary assistance with personal care, including care of the skin, mouth and teeth, hands and feet, and the shampooing and grooming of the hair.~~

~~(2) A resident shall wash his hands before meals.~~

- ~~(3) A resident shall have a bath or shower at least once a week.~~
- ~~(4) A male resident shall be offered facilities for shaving at least daily.~~

R 325.1845 Furniture. **Rescinded.**

- ~~Rule 45. (1) An individual bed at least 36 inches wide, with comfortable springs in good condition and a clean protected mattress not less than 5 inches thick, or 4 inches thick if of synthetic construction, shall be provided for a resident.~~
- ~~(2) A bedside stand or its equivalent shall be available for a resident for the storage of small personal articles.~~

R 325.1847 Bedding, linens, and clothing. **Rescinded.**

- ~~Rule 47. (1) A resident bed shall have a mattress pad or equivalent protection on the mattress, a pillow, and shall be made with 2 sheets, a minimum of 1 blanket and a bedspread.~~
- ~~(2) Bedding shall be washable, in good condition and clean, and shall be changed at least weekly and more often as required.~~
- ~~(3) A cot or rollaway cot shall not be used as a resident bed.~~
- ~~(4) The linen supply shall be sufficient to furnish twice the number of resident beds for which the home is licensed. Additional linen shall be available as is required to meet the needs of a resident.~~
- ~~(5) A resident shall be supplied with clean clothing which shall be marked, laundered, ironed, and mended.~~
- ~~(6) The home shall make provision for the laundering of linens, clothing, and other washable goods.~~
- ~~(7) A clean individual towel and washcloth shall be provided on a towel rack near a bedside and shall be changed at least twice each week and more often if they become soiled.~~
- ~~(8) The room, bed, bedside stand, and bedside equipment shall be thoroughly cleaned and the bed linen changed following the discharge of each resident.~~

R 325.1851 Records; general. **Rescinded.**

- ~~Rule 51. A resident register, resident records, accident records and incident reports, and employee records and work schedules shall be kept in the home and shall be available to the director or his authorized representative.~~

R 325.1853 Resident records. **Rescinded.**

- ~~Rule 53. (1) An individual resident record shall be provided for each resident in the home.~~
- ~~(2) It shall be the responsibility of the administrator of the home to assure that a current resident record is maintained and that all entries are dated and signed.~~
- ~~(3) The resident record shall include at least the following:~~
- ~~(a) Identifying information, including name, social security number, veteran status and number, marital status, age, sex, and home address.~~
 - ~~(b) Name, address, and telephone number of next of kin or legal guardian.~~
 - ~~(c) Name, address, and telephone number of person or agency responsible for the resident's maintenance and care in the home.~~
 - ~~(d) Date of admission.~~
 - ~~(e) Date of discharge and place to which resident was discharged.~~
 - ~~(f) Health information, including physician reports and reports of diagnostic procedures.~~
 - ~~(g) Name, address, and telephone number of resident's attending physician.~~

R 325.1855 Resident registers. **Rescinded.**

~~Rule 55. A current register of residents shall be maintained and shall include the following information for each resident:~~

- ~~(a) Name, social security number, veteran status and number, marital status, age, sex, and home address.~~
- ~~(b) Name, address, and telephone number of next of kin or legal guardian.~~
- ~~(c) Name, address, and telephone number of person or agency responsible for resident's maintenance and care in the home.~~
- ~~(d) Date of admission, date of discharge, and place to which resident was discharged.~~
- ~~(e) Name, address, and telephone number of resident's attending physician.~~

R 325.1857 Accident records and incident reports. **Rescinded.**

~~Rule 57. An accident record or incident report shall be prepared for each accident to a resident, personnel, and visitor, and shall include the following information:~~

- ~~(a) Name of person involved in accident or incident.~~
- ~~(b) Date, hour, place, and cause of accident or incident.~~
- ~~(c) Effect of accident or incident on person involved.~~
- ~~(d) Name of physician notified and time of notification.~~
- ~~(e) Physician's statement regarding extent of injuries, treatment ordered, and disposition of person involved.~~
- ~~(f) Corrective measures taken to avoid repetition of accident or incident.~~

R 325.1859 Employee records and work schedules. **Rescinded.**

~~Rule 59. (1) A record shall be maintained for each employee in the home and shall include the following:~~

- ~~(a) Name, address, telephone number, and social security number.~~
- ~~(b) License or registration number, if applicable.~~
- ~~(c) Date of birth.~~
- ~~(d) Summary of experience and education.~~
- ~~(e) Beginning date of employment and position for which employed.~~
- ~~(f) References.~~
- ~~(g) Results of annual chest x ray and intradermal skin test for tuberculosis.~~
- ~~(h) Date employment ceases and reasons therefore.~~
- ~~(2) A daily work schedule for employees shall be prepared in writing and shall be maintained to show the number and type of personnel on duty in the home for the previous 3 months.~~

R 325.1861 Nutritional need of residents. **Rescinded.**

~~Rule 61. The food and nutritional needs of a resident shall be met in accordance with the daily dietary allowances of the food and nutrition board of the national research council adjusted for age, sex, and activity, except as ordered by a physician.~~

R 325.1863 Meals and special diets. **Rescinded.**

~~Rule 63. (1) At least 3 meals or their equivalent shall be served daily at regular times, with not more than a 14 hour span between a substantial evening meal and breakfast unless a substantial snack is served after the evening meal when this time span can be increased to 14 3/4 hours.~~

- ~~(2) Fluid, supplementary nourishments, and therapeutic or special diets ordered by a physician shall be provided as required.~~
- ~~(3) A meal shall be prepared and served in an appetizing and sanitary manner.~~

~~(4) A table or individual free-standing tray of table height shall be provided for a resident who does not go to a dining room.~~

R 325.1865 Menus. Rescinded.

~~Rule 65. (1) The menu for regular and therapeutic or special diets for the current week shall be posted. Changes shall be written on the planned menu to show the menu as actually served.~~

~~(2) The menu as actually served to residents for the preceding 3 months shall be kept on file in the home.~~

R 325.1867 Meal and food records. Rescinded.

~~Rule 67. A meal census, to include residents, personnel, and visitors, and a record of the kind and amount of food used for the preceding 3-month period shall be kept on file in the home.~~

R 325.1871 Plans and specifications. Rescinded.

~~Rule 71. (1) A floor plan of the home with description of rooms showing size, use, door locations, window area, and number of beds shall be on file in the home and at the department.~~

~~(2) Complete plans and specifications for new buildings, additions, major building changes, and conversion of existing facilities to use as a home shall be submitted to the department for review to assure compliance with the law and these rules.~~

~~(3) Plans and specifications meeting the requirements of the law and these rules shall be approved by the department.~~

~~(4) Construction of new buildings, additions, major building changes, and conversion of existing facilities to use as a home shall not begin until the plans and specifications have been approved by the department and a certificate of approval issued for such construction to begin.~~

R 325.1872 Exteriors. Rescinded.

~~Rule 72. (1) The home shall be located in an area free from hazards to the health and safety of residents, personnel, and visitors.~~

~~(2) The premises shall be maintained in a safe and sanitary condition and in a manner consistent with the public health and welfare.~~

~~(3) Sufficient light for an exterior ramp, step, and porch shall be provided for the safety of persons using the facilities.~~

~~(4) An exterior step or ramp shall have a handrail on both sides. A porch shall have a railing on open sides.~~

R 325.1873 Entrances for physically handicapped in certain homes. Rescinded.

~~Rule 73. In a new construction, addition, major building change, or conversion after the effective date of these rules, at least 1 entrance to the home shall provide easy access for the physically handicapped.~~

R 325.1874 Interiors. Rescinded.

~~Rule 74. (1) A building shall be of safe construction and shall be free from hazards to residents, personnel, and visitors.~~

~~(2) A part of a building in use as a home shall not be used for any purpose which interferes with the care, well-being, and safety of residents, personnel, and visitors.~~

~~(3) An occupied room shall have a minimum ceiling height of 7 feet, 6 inches, except as hereinafter provided.~~

- ~~(4) Floor area under a part of a drop or slant ceiling which is less than 6 1/2 feet from the floor shall not be used in computing the usable floor space or maximum number of beds allowed in any sleeping room.~~
- ~~(5) A bed and the working space around a bed shall not be directly under a part of a drop or slant ceiling which is less than 6 1/2 feet from the floor.~~
- ~~(6) Each area of the home shall be provided with lighting commensurate with the use made of each area and in accord with generally recognized standards acceptable to the director.~~
- ~~(7) A stairway or ramp shall have a handrail on both sides.~~
- ~~(8) A room used for living or sleeping purposes shall have a minimum total window glass area on outside walls equal to 10% of the floor area of the room. Forty-five percent of this window glass area shall be openable unless the room is artificially ventilated.~~
- ~~(9) A room shall be provided with a type and amount of ventilation which will control odors and contribute to the comfort of occupants.~~
- ~~(10) A resident room shall open to a corridor, lobby, or day room.~~
~~Traffic to and from any room shall not be through a sleeping room, kitchen, bathroom, toilet room, or storage room, except where a toilet room, bathroom, or storage room opens directly off the room or rooms which it serves.~~
- ~~(11) A doorway, passageway, corridor, hallway, or stairwell shall be kept free from obstructions at all times.~~
- ~~(12) A floor, wall, or ceiling shall be covered and finished in a manner that will permit maintenance of a sanitary environment.~~
- ~~(13) A basement shall be of such construction that it can be maintained in a dry and sanitary condition.~~
- ~~(14) A minimum of 15 square feet of floor space per resident bed shall be provided for day room, dining, recreation, and activity purposes.~~
- ~~(15) A basement or cellar shall not be used for sleeping or living quarters, except that recreation and activity space may be provided in a basement in addition to the 15 square feet per resident bed required in sub rule (14).~~
- ~~(16) A room or compartment housing a water closet shall have a minimum width of 3 feet.~~
- ~~(17) Emergency electrical service as a minimum shall provide battery-operated lighting units sufficient to light corridors and exits.~~
- ~~(18) A functionally separate living, sleeping, dining, lavatory, water closet, and bathing facility shall be provided for personnel and members of their families who live on the premises.~~

R 325.1875 Elevators and space requirements for certain homes. Rescinded.

~~Rule 75. A new construction, addition, major building change, or conversion after the effective date of these rules shall provide:~~

- ~~(a) An elevator, if resident bedrooms are situated upon more than 1 floor level. An elevator shall have a minimum cab size of 5 feet by 7 feet, 6 inches.~~
- ~~(b) A sleeping, day, dining, recreation, and activity room with a minimum ceiling height of 8 feet.~~
- ~~(c) In a room requiring windows, a clear unobstructed space having a minimum distance of 20 feet upon which the windows face. One additional foot shall be added to the minimum distance of 20 feet for each 2-foot rise above the first story up to a maximum of 40 feet of required unobstructed space.~~
- ~~(d) A minimum of 30 square feet of floor space per bed for day room, dining, recreation, and activity purposes.~~

R 325.1876 Public and personnel areas. Rescinded.

~~Rule 76. (1) A lobby or waiting area for visitors shall be functionally separate from resident care units.~~

~~(2) A public lavatory and water closet shall be provided and located convenient to the lobby or waiting area.~~

~~(3) Office space shall be provided for the administrator.~~

~~(4) Separate dressing rooms shall be provided for male and female employees. A lavatory and water closet shall be convenient to the dressing rooms.~~

R 325.1877 Resident rooms and units. Rescinded.

~~Rule 77. (1) A resident bedroom shall have the floor surface at or above grade level along exterior walls with windows.~~

~~(2) A single resident room shall have at least 80 square feet of usable floor space.~~

~~(3) A multi-bed resident room shall have at least 70 square feet of usable floor space per bed, except that a multi-bed resident room in a home licensed prior to November 15, 1957, and remaining continuously licensed since that date shall have at least 60 square feet of usable floor space per resident bed until January 1, 1975, at which time it shall meet the 70 square feet requirement.~~

~~(4) A toilet room or closet shall not be included in usable floor space.~~

~~(5) A multi-bed resident room shall have a 3-foot clearance between beds.~~

~~(6) A resident room shall have at least 2 duplex electrical receptacles at least 1 of which shall be near the head of each bed.~~

~~(7) A resident unit shall have space for storage of clean linen, equipment, and supplies.~~

~~(8) Each resident unit shall have a janitor's closet.~~

R 325.1878 Toilet and bathing facilities. Rescinded.

~~Rule 78. (1) Resident toilet facilities shall be located in separate rooms or stalls and shall be provided in the ratio of 1 lavatory and water closet for every 8 resident beds per floor.~~

~~(2) A bathing facility shall be provided for every 15 resident beds.~~

~~(3) A water closet or bathing facility shall have substantially secured grab bars at least 1 foot long.~~

~~(4) A resident toilet room or bathroom shall not be used for storage or housekeeping functions.~~

R 325.1879 Additional resident area requirements in certain homes. Rescinded.

~~Rule 79. A new construction, addition, major building change, or conversion after the effective date of these rules shall provide:~~

~~(a) A resident room with not more than 4 beds.~~

~~(b) A minimum of 100 square feet of usable floor space in single resident rooms.~~

~~(c) A minimum of 80 square feet of usable floor space per bed in multi-bed resident rooms.~~

~~(d) A resident room shall provided a minimum of 5 square feet of floor space per bed for wardrobe and closet in addition to other requirements for usable floor space per bed. A toilet room or vestibule shall not be included in usable floor space.~~

~~(e) A bedroom shall permit the functional placement of furniture and equipment essential to resident comfort and safety.~~

R 325.1880 Water supply systems. Rescinded.

~~Rule 80. (1) A home located in an area served by a public water system shall connect to and use that system.~~

~~(2) When a public water system is not available, the location and construction of a well and the operation of the private water system shall comply with the Michigan department of public health regulations "Minimum Standards for the Location and Construction of Certain Water Supplies," being R 325.1451 to R 325.1461 of the Michigan Administrative Code.~~

~~(3) A home using a private water system shall take at least 1 water sample for bacteriologic testing each 3 months and shall submit the sample to the department laboratory, or to a laboratory approved by the department, for examination. The administrator shall report all unsatisfactory examination results to the department within 72 hours of receipt of the report.~~

~~(4) A home with 30 beds or more served by a private water system shall provide a secondary well or other reserve source of water.~~

~~(5) A physical cross connection shall not exist between water systems that are safe for human consumption and those that are, or may at any time become, unsafe for human consumption.~~

~~(6) Minimum water pressure available to each plumbing fixture shall exceed 20 pounds per square inch.~~

~~(7) The plumbing system shall be designed and maintained so that the possibility of back flow or back siphonage is eliminated.~~

~~(8) The plumbing system shall supply an adequate amount of hot water at all times to meet the needs of each resident and the functioning of the various service areas.~~

~~(9) The temperature of hot water at plumbing fixtures used by residents shall be regulated to provide tempered water not exceeding 110 degrees Fahrenheit.~~

R 325.1881 Liquid wastes. Rescinded.

~~Rule 81. (1) Liquid wastes shall be discharged into a public sanitary sewage system when such a system is available.~~

~~(2) When a public sanitary sewage system is not available and a private liquid wastewater disposal system is used, the type, size, construction, alteration of, or major repairs to the system shall be approved by the department.~~

~~(3) The wastewater disposal system shall be maintained in a sanitary manner.~~

R 325.1882 Solid wastes. Rescinded.

~~Rule 82. (1) The collection, storage, and disposal of solid wastes, including garbage and refuse, shall be accomplished in a manner which will minimize the danger of disease transmission and avoid creating a public nuisance or a breeding place for insects and rodents.~~

~~(2) Suitable containers for garbage, refuse, and other solid wastes shall be provided and emptied at frequent intervals and maintained in a clean and sanitary condition.~~

R 325.1883 Heating. Rescinded.

~~Rule 83. (1) A home shall provide a safe heating system.~~

~~(2) A room in the home used by residents shall be maintained at a regular daytime temperature of at least 72 degrees Fahrenheit measured at a level of 3 feet above the floor.~~

R 325.1884 Laundry and linen. Rescinded.

~~Rule 84. (1) A home that processes its own linen shall provide a well ventilated laundry of sufficient size which shall be equipped to meet the needs of the home.~~

~~(2) A home that uses a commercial or other outside laundry facility shall have a soiled linen storage room and a separate clean linen storage room.~~

R 325.1885 Laundry and linen requirements in certain homes. Rescinded.

~~Rule 85. A new construction, addition, major building change, or conversion after the effective date of these rules shall provide:~~

~~(a) A separate soiled linen storage room.~~

~~(b) A separate clean linen storage room.~~

~~(c) A separate laundry processing room with a lavatory for hand washing in the area in a home that processes its own linen.~~

~~(d) Commercial laundry equipment with a capacity to meet the needs of the home in a home that processes its own linen.~~

R 325.1886 Kitchen and dietary. Rescinded.

~~Rule 86. (1) A home shall have a kitchen and dietary area of adequate size to meet food service needs of residents. It shall be arranged and equipped for the refrigeration, storage, preparation, and serving of food, as well as for dish and utensil cleaning and refuse storage and removal.~~

~~(2) The kitchen and dietary area shall be equipped with a lavatory for hand washing. Each lavatory shall have a goose neck inlet and wrist, knee, or foot control. Soap and single service towels shall be available for use at each lavatory.~~

~~(3) The kitchen and dietary area shall be restricted to kitchen and dietary activities.~~

~~(4) Separate personnel dining space shall be provided.~~

~~(5) The kitchen and dietary area, as well as all food being stored, prepared, served, or transported, shall be protected against potential contamination from dust, flies, insects, vermin, overhead sewer lines, and other sources.~~

~~(6) Food and drink used in the home shall be clean and wholesome and shall be manufactured, handled, stored, prepared, transported, and served so as to be safe for human consumption.~~

~~(7) Perishable foods shall be stored at temperatures which will protect against spoilage.~~

~~(8) A reliable thermometer shall be provided for each refrigerator and freezer.~~

~~(9) An individual portion of food which is served and not eaten shall be destroyed.~~

~~(10) A separate storage area for poisonous material shall be provided away from food service and food storage areas. Poisonous material shall be identified as such and shall be used only in a manner and under such conditions that it will not contaminate food or constitute a hazard to residents, personnel, or visitors.~~

~~(11) Food service equipment and multi-use utensils shall be of such design and material as to be smooth, easily cleanable, and durable.~~

~~(12) Food service equipment and work surfaces shall be installed in such a manner as to facilitate cleaning and be maintained in a clean and sanitary condition, and in good repair.~~

~~(13) A multi-use utensil used in food storage, preparation, transport, or serving shall be thoroughly cleaned and sanitized after each use and shall be handled and stored in a manner which will protect it from contamination.~~

~~(14) A single service eating or drinking article shall be stored, handled, and dispensed in a sanitary manner and shall be used only once.~~

~~(15) Ice used in the home for any purpose shall be manufactured, stored, transported, and handled in a sanitary manner.~~

~~(16) A storage area for housekeeping items and a janitor's closet shall be provided convenient to the kitchen and dietary area.~~

R 325.1887 Kitchen and dietary area ventilation in certain homes. Rescinded.

~~Rule 87. In a new construction, addition, major change, or conversion after the effective date of these rules, the design and operation of the filtered make-up air and exhaust air system in the kitchen and dietary area shall be adequate for the comfort of employees and control of odors, and shall minimize the danger of disease transmission.~~

R 325.1888 Insect and vermin control. Rescinded.

~~Rule 88. (1) A home shall be kept free from insects and vermin.
(2) Breeding places for insects and vermin shall be eliminated from a home.
(3) Insect and vermin control procedures involving the use of insecticides or pesticides shall be carried out in a manner consistent with the health and safety of patients, personnel, and visitors.~~

~~R 325.1889 General maintenance and storage. Rescinded.~~

~~Rule 89. (1) The building, equipment, and furniture shall be kept clean and in good repair.
(2) A room shall be provided in the home or on the premises for equipment and furniture maintenance and repair, and storage of maintenance equipment and supplies.
(3) Hazardous and toxic materials shall be stored in a safe manner.~~

~~R 325.1890 Soap and towels. Rescinded.~~

~~Rule 90. Soap and single use towels shall be available for the use of personnel and visitors. Use of the common towel is prohibited.~~

~~R 325.1891 Disaster plans. Rescinded.~~

~~Rule 91. (1) A home shall have a written plan of procedure to be followed in case of fire, explosion, or other emergency.
(2) A disaster plan shall be posted and shall specify persons to be notified, locations of alarm signals and fire extinguishers, evacuation routes, procedures for evacuating residents, frequency of fire drills, and assignment of specific tasks and responsibilities to the personnel of each shift.
(3) Personnel shall be trained to perform assigned tasks.
(4) A disaster plan shall meet with the approval of the state fire marshal.
(5) The disaster plan shall be posted throughout the home.
(6) A regular simulated drill shall be held for each shift at least 3 times per year.~~

PART 1. GENERAL PROVISIONS

R 325.1901 Definitions

Rule 1. (1) “Act” means 1978 PA 368, MCL 333.1101 et seq.

(2) “Activities of daily living” means activities associated with eating, toileting, bathing, grooming, dressing, transferring, mobility, and medication management.

(3) “Admission policy” means a home’s program statement of its purpose, eligibility requirements, and application procedures for admission.

(4) “Assistance” means help provided by a home or an agent or employee of a home to a resident who requires help with activities of daily living.

(5) “Authorized representative” means that person or agency which has been granted written legal authority by a resident to act on behalf of the resident or is the legal guardian of a resident.

(6) “Department” means the department of consumer and industry services.

(7) “Director” means the director of the department of consumer and industry services.

(8) “Discharge policy” means a home's written statement of the criteria and procedures by which a resident is discharged from the home.

(9) “Distinct part” means, for purposes of MCL 333.20106(3), a clearly identifiable area or section within a licensed home consisting of at least a resident unit, wing, floor, or building containing contiguous rooms providing room and board and supervised personal care and protection to individuals 60 years of age or older. Appropriate personnel are regularly assigned and work in the distinct part under qualified direction. The distinct part may share services, such

as management services, building maintenance, food preparation services, and laundry with a licensed nursing home or other entity.

(10) "Elopement" means a resident is absent without notice for more than a 12 hour period unless otherwise indicated in the resident's service plan.

(11) "Home" means a home for the aged.

(12) "Licensed health care professional" means a professional, such as a medical doctor, doctor of osteopathy, nurse practitioner, physician's assistant, registered nurse, licensed practical nurse, or podiatrist, who is operating within the scope of his or her license as defined in MCL 333.16101 et seq.

(13) "Major building modification" means an alteration of walls that creates a new architectural configuration or revision to the mechanical or electrical systems that significantly revise the design of the system or systems. Normal building maintenance, repair, or replacement with equivalent components are not considered major building modifications. A change in room function shall not cause a conflict with these rules.

(14) "Medication management" means assistance with the administration of a resident's medication as prescribed by a licensed health care professional.

(15) "Program statement" means a written description of the home's overall philosophy and mission reflecting the needs of residents and services provided to residents. A home that represents to the public that it provides residential care or services, or both, to persons with Alzheimer's or a related condition shall include in its program statement the information required by MCL 333.20178.

(16) "Protection" means the continual responsibility of the home to take reasonable action to ensure the health, safety, and well-being of a resident as indicated in the resident's service plan, including protection from physical harm, humiliation, intimidation, and social, moral, financial, and personal exploitation while on the premises, while under the supervision of the home or an agent or employee of the home, or when the resident's service plan states that the resident needs continuous supervision.

(17) "Reportable incident/accident" means an intentional or unintentional event in which a resident suffers harm or is at risk of more than minimal harm, such as, but not limited to, abuse, neglect, exploitation, or unnatural death.

(18) "Resident" means a person who is 60 years of age or older, or a person under the age of 60 who has been admitted through a waiver of the director pursuant to MCL 333.21311(3).

(19) "Resident admission contract" means a written agreement between the home and the resident and/or the resident's authorized representative that specifies the services to be provided, the fees to be charged, including all fees related to admission such as deposits, admission fees, advance care payments, application fees and all other additional fees, and the home's policies related to the admission and retention of a resident.

(20) "Room and board" means the provision of housing and meals to meet the needs of the resident.

(21) "Service plan" means a written statement prepared by the home in cooperation with a resident and/or the resident's authorized representative or agency responsible for a resident's placement, if any, and that identifies the specific care and maintenance, services, and resident activities appropriate for each individual resident's physical, social, and behavioral needs and well-being and the methods of providing the care and services while taking into account the preferences and competency of the resident.

- (22) “Supervised personal care” means guidance of or assistance with activities of daily living provided to the resident by a home or an agent or employee of a home. (23) “Supervision” means guidance of a resident in the activities of daily living, and includes all of the following:
- (a) Reminding a resident to maintain his or her medication schedule in accordance with the instructions of the resident’s licensed health care professional as authorized by MCL 333.17708.
 - (b) Reminding a resident of important activities to be carried out.
 - (c) Assisting a resident in keeping appointments.
 - (d) Being aware of a resident’s general whereabouts as indicated in the resident’s service plan, even though the resident may travel independently about the community.
 - (e) Supporting a resident’s personal and social skills.

PART 2. STATE ADMINISTRATION

R 325.1911 License applications; authorized representatives; notices.

- Rule 11. (1)** An application for a license for a home shall be made on forms authorized and provided by the director and shall be completed in full.
- (2)** An application for a license for a home shall be made and signed by the individual desiring to establish, conduct, or maintain a licensed home, or by the authorized representative of any individual, copartnership, corporation, or association including any receiver, trustee, assignee, or similar representative desiring to establish, conduct, or maintain a licensed home.
- (3)** An authorized representative shall be authorized by the applicant to do all of the following:
- (a)** make application and amendments to the application
 - (b)** provide the director with all information necessary to make a determination in connection with the issuance of a license
 - (c)** enter into agreements with the director in connection with the issuance of a license.
- (4)** A certificate of appointment or other written evidence of the authority vested in the authorized representative shall be attached to the application.
- (5)** In matters relating to the licensing of the home, the director may continue to deal with the authorized representative until the director is notified in writing that a new authorized representative has been appointed with equal power and the former authorized representative is no longer authorized to act.
- (6)** The director may use any appropriate means of notice and may direct notices of any administrative action pursuant to licensing of the home to the applicant or the authorized representative, either personally or by certified mail at the address of the establishment or institution.

R 325.1912 Licenses and permits; issuance

- Rule 12. (1)** Upon determination that the home complies with the act and these rules, the department shall issue a license.
- (2)** The department may issue a nonrenewable temporary permit for not more than 6 months in accordance with MCL 333.20162(2).
- (3)** The department may issue a provisional license for not more than 3 consecutive years in accordance with MCL 333.20162(3).
- (4)** The maximum number of resident beds authorized for occupancy shall be endorsed on the license, provisional license, or nonrenewable temporary permit.

R 325.1913 Licenses and permits; general provisions

- Rule 13. (1) A license, provisional license, or temporary nonrenewable permit is not transferable between owners, or from one location to another, or from one part of an institution to another.**
- (2) The applicant or the authorized representative shall give written notice to the department within 5 business days of any changes in information as submitted in the application pursuant to which a license, provisional license, or temporary nonrenewable permit has been issued.**
- (3) The number of residents cared for in a home and the complement of resident beds shall not exceed the number authorized by the license, provisional license, or temporary nonrenewable permit.**
- (4) The current license, provisional license, or temporary nonrenewable permit shall be posted in a conspicuous public area of the home.**

R 325.1914 Administrative actions

- Rule 14. (1) Orders and notices of intended action regarding licensure that are issued by the department against a home or applicant shall be in writing, and shall include all of the following:**
- (a) The nature of the action or intended action by the department.**
 - (b) A brief statement of the facts on which the department action or intended action is based.**
 - (c) The legal authority and jurisdiction for the action or intended action.**
 - (d) A reference to the applicable sections of the act and rules.**
 - (e) A statement regarding any rights to a hearing that are provided by the act or R 325.1915**
 - (f) Any written requirement and deadline for response from the home or applicant to the administrative action.**
- (2) Orders and notices of intended action shall be served on the home or applicant personally or by certified mail.**
- (3) Failure of the home or applicant to respond to an order or a notice within 30 days shall constitute a default.**

R 325.1915 Hearing procedures.

- Rule 15. (1) This rule applies to hearings that are required by MCL 333.20162, 333.20165, 333.20166, and 333.20168.**
- (2) Unless otherwise provided by the act, the procedures for hearing shall comply with sections 71 to 92 of 1969 PA 306, MCL 24.271 to 24.292.**
- (3) If a hearing is required, then the home or applicant shall be notified in writing of the date, hour, place and nature of the hearing. unless otherwise specified in the notice, the hearing shall be held at the offices of the department in Lansing, Michigan.**
- (4) A hearing date shall be scheduled in accordance with the timeframes set out in MCL 333.20162, 333.20165, 333.20166, and 333.20168 as follows:**
- (a) Under MCL 333.20162 and 333.20168, an opportunity for a hearing on a compliance order or on an emergency order limiting, suspending, or revoking the license of the home shall be provided to the home within 5 working days of issuance of the department's order.**
 - (b) Under MCL 333.20165 and 333.20166, the date set for an opportunity for a hearing on a notice of intent to deny, limit, suspend, or revoke a license shall be at least 30 days from the date of service of the action on the home or applicant.**
 - (c) The date set for an opportunity for a hearing on a department order imposing an administrative fine on a home under MCL 333.20165(1) shall be at least 30 days from the date of service of the order on the home.**
- (5) The presiding officer may grant a request for an adjournment of a hearing for good cause. Unless provided otherwise by the act or these rules, an adjournment does not suspend the effective date of the**

department's order, including the effective date of a compliance order issued under MCL 333.20168, or an emergency order issued under MCL 333.20168 to limit, suspend, or revoke a home's license.

(6) Absent an adjournment, a home or applicant that fails to appear at a contested case hearing after proper service of notice waives the right to an administrative hearing on the department's order and any other review to which the home or applicant might be entitled. In such case, a default shall be entered, and the department's order or notice of intended action shall become final.

R 325.1916 Prohibited use of "state approved" and "hospital."

Rule 16. (1) The home shall not use "state approved" or words having a similar meaning unless the home is operating under a current license.

(2) The home shall not use "hospital" or words having a similar meaning.

(3) The home shall not use "nursing home" or words having a similar meaning.

R 325.1917 Compliance with other laws, codes, and ordinances.

Rule 17. (1) A home shall comply with all applicable laws and shall furnish such evidence as the director shall require to show compliance with all local laws, codes and ordinances.

(2) A home shall comply with the department's health care facility fire safety rules being R 29.1801 to R 29.1861 of the Michigan Administrative Code.

PART 3. ADMINISTRATIVE MANAGEMENT OF HOMES

R 325.1921 Governing bodies, administrators, and supervisors.

Rule 21. (1) The owner, operator, and governing body of a home shall do all of the following:

(a) Assume full legal responsibility for the overall conduct and operation of the home.

(b) Assure that the home maintains an organized program to provide room and board, protection, supervision, assistance, and supervised personal care for its residents.

(c) Assure the availability of emergency medical care required by a resident.

(d) Appoint a competent administrator who is responsible for operating the home in accordance with the established policies of the home.

(2) An administrator shall meet all of the following requirements:

(a) Be at least 18 years old.

(b) Have education, training, and/or experience related to the population served by the home.

(c) Be capable of assuring program planning, development, and implementation of services to residents consistent with the home's program statement and in accordance with the residents' service plan and agreements.

(3) A licensee who meets the qualifications of an administrator may serve as an administrator.

R 325.1922 Admission and retention of residents.

Rule 22. (1) A home shall have a written resident admission contract, program statement, admission and discharge policy and a resident's service plan for each resident.

(2) The admission policy shall specify all of the following:

(a) That at the time of admission, the home shall document the needs of each individual seeking admission. The documented needs shall be used to develop the resident's service plan.

(b) That a home shall not accept an individual seeking admission unless the individual's needs can be adequately and appropriately met within the scope of the home's program statement.

- (c) That the individual seeking admission and his or her authorized representative, if any, may participate in the development of the individual's service plan.**
- (d) The home's policy governing the annual screening of residents for tuberculosis.**
- (3) At the time of an individual's admission, a home or the home's designee shall complete a written resident admission contract between the resident and/or the resident's authorized representative, if any, and the home. The resident admission contract shall, at a minimum specify all of the following:**
 - (a) That the home shall provide room, board, protection, supervision, assistance, and supervised personal care consistent with the resident's service plan.**
 - (b) The services to be provided and the fees for the services.**
 - (c) The notice to be provided by the home to the resident and/or the resident's authorized representative, if any, upon any change in fees.**
 - (d) The transportation services that are provided, if any, and the fees for those services.**
 - (e) The home's admission and discharge policy.**
 - (f) The home's refund policy.**
 - (g) The resident's rights and responsibilities, which shall include those rights and responsibilities specified in MCL 33.20201(2) and (3) and MCL 333.20202.**
- (4) If there is a change in a term or condition in the written resident admission contract, then the home or home's designee shall review the change with the resident and the resident's authorized representative, if any.**
- (5) A home shall update each resident's service plan annually, or if there is a significant change in the resident's care needs, or at least annually.**
- (6) A home shall require an individual who, at the time of admission, is under the care of a licensed health care professional for ongoing treatments or prescription medications that require the home's intervention or oversight, to provide a written statement from that licensed health care professional completed within the 90-day period before the individual's admission to the home. The statement shall list those treatments or medications for the purpose of developing and implementing the resident's service plan. If this statement is not available at the time of an emergency admission, then the home shall require that the statement be obtained not later than 30 days after admission.**
- (7) An individual admitted to residence in the home shall have evidence of tuberculosis screening on record in the home which consists of an intradermal skin test, chest x-ray, or other methods recommended by the local health authority performed within 12 months before admission.**
- (8) A home shall not retain a resident if the resident has harmed himself or herself or others, or has demonstrated behaviors that pose a risk of serious harm to himself or herself or others, unless the home has the capacity to manage the resident's behavior.**
- (9) A home shall not admit a resident who requires continuous nursing care services of the kind normally provided in a nursing home as specified in MCL 333.21711(3) and MCL 333.21715(2).**
- (10) A home shall not retain a resident who requires continuous nursing care services of any kind normally provided in a nursing home as specified in MCL 333.21711(3) and MCL 333.21715(2) unless the home meets the provisions of MCL 333.21325, or the individual is enrolled in and receiving services from a licensed hospice program or a home health agency.**
- (11) In accordance with MCL 333.20201(3)(e), a home's discharge policy shall specify that a home for the aged resident may be transferred or discharged for any of the following reasons:**
 - (a) Medical reasons.**
 - (b) His or her welfare or that of other residents.**
 - (c) For nonpayment of his or her stay.**

(d) Transfer or discharge sought by resident or authorized representative.

(12) The reason for transfer or discharge shall be documented in the resident record.

(13) A home shall provide a resident and his or her authorized representative, if any, and the agency responsible for the resident's placement, if any, with a 30-day written notice before discharge from the home. The written notice shall consist of all of the following:

(a) The reasons for discharge.

(b) The effective date of the discharge.

(c) A statement notifying the resident of the right to file a complaint with the department. The provisions of this subrule do not preclude a home from providing other legal notice as required by law.

(14) If the department finds that the resident was discharged in violation of these rules or the home's discharge policy, then the resident may return to the first available bed in the home that can meet the resident's needs as identified in the resident's service plan.

(15) A home may discharge a resident before the 30-day notice if the home has determined and documented that either, or both, of the following exist:

(a) Substantial risk to the resident due to the inability of the home to meet the resident's needs or due to the inability of the home to assure the safety and well-being of the resident, other residents, visitors, or staff of the home.

(b) A substantial risk or an occurrence of the destruction of property.

(16) A home that proposes to discharge a resident for any of the reasons listed in subrule (13) of this rule shall take all of the following steps before discharging the resident:

(a) The home shall notify the resident, the resident's authorized representative, if any, and the agency responsible for the resident's placement, if any, not less than 24 hours before discharge. The notice shall be verbal and issued in writing. The notice of discharge shall include all of the following information:

(i) The reason for the proposed discharge, including the specific nature of the substantial risk.

(ii) The alternatives to discharge that have been attempted by the home, if any.

(iii) The location to which the resident will be discharged.

(iv) The right of the resident to file a complaint with the department.

(b) The department and adult protective services shall be notified not less than 24 hours before discharge in the event of either of the following:

(i) A resident does not have an authorized representative or an agency responsible for the residents placement.

(ii) The resident does not have a subsequent placement.

(c) The notice to the department and adult protective services shall include all of the following information:

(i) The reason for the proposed discharge, including the specific nature of the substantial risk.

(ii) The alternatives to discharge that have been attempted by the home, if any.

(iii) The location to which the resident will be discharged, if known.

(d) If the department finds that the resident was improperly discharged, then the resident may return to the first available bed in the home that can meet the resident's needs as identified in the resident's service plan.

(e) The resident shall not be discharged until a subsequent setting that meets the resident's immediate needs is located.

R 325.1923 Employee's health.

Rule 23. (1) A person on duty in the home shall be in good health. Files shall be maintained containing evidence of adequate health, such as results of examinations by a qualified health care professional and tuberculosis screening which consists of an intradermal skin test or chest x-rays, or other methods recommended by the local health authority. Records of illnesses and accidents occurring on duty shall be maintained in the employee's file.

(2) A home shall provide annual tuberculosis screening at no cost for its employees. New employees shall be screened within 10 days of hire and before occupational exposure. The screening shall consist of intradermal skin test, chest x-ray, or other methods as recommend by the local health authority.

(3) Employees with past documented positive tuberculosis skin test results or who have received treatment for tuberculosis are exempt from the tuberculosis skin test, but shall be screened annually for active symptoms of tuberculosis and the need for evaluation by a qualified health care professional to determine if symptoms of tuberculosis have developed.

(4) Tuberculosis skin tests, as well as post-exposure follow-up and treatment evaluations, shall be offered at no cost to the employees, and at times and locations convenient to the employees. A qualified health care professional shall perform the reading and interpretation of the tuberculosis skin test.

R 325.1924 Reporting of incidents, accidents, elopement.

Rule 24. (1) The home shall complete a report of all reportable incidents, accidents, and elopements. The incident/accident report shall contain all of the following information:

(a) The name of the person or persons involved in the incident/accident.

(b) The date, hour, location, and a narrative description of the facts about the incident/accident which indicates its cause, if known.

(c) The effect of the incident/accident on the person who was involved, the extent of the injuries, if known, and if medical treatment was sought from a qualified health care professional.

(d) Written documentation of the individuals notified of the incident/accident, along with the time and date.

(e) The corrective measures taken to prevent future incidents/accidents from occurring.

(2) The original incident/accident report shall be maintained in the home for not less than 2 years.

(3) The home shall report an incident/accident to the department within 48 hours of the occurrence.

(4) If an elopement occurs, then the home shall make a reasonable attempt to locate the resident and contact the resident's authorized representative, if any. If the resident is not located, the home shall do both of the following:

(a) Contact the local police authority.

(b) Notify the department within 24 hours of the elopement.

PART 4. RESIDENT CARE

R 325.1931 Employees; general provisions.

Rule 31. (1) Personal care and services that are provided to a resident by the home shall be designed to encourage residents to function physically and intellectually with independence at the highest practical level.

(2) A home shall treat a resident with dignity and his or her personal needs, including protection and safety, shall be attended to consistent with the resident's service plan.

- (3) The home shall designate 1 person on each shift to be supervisor of resident care during that shift. The supervisor of resident care shall be fully dressed, awake, and on the premises when on duty.**
- (4) The supervisor of resident care on each shift shall do all of the following:**
 - (a) Assure that residents are treated with kindness and respect.**
 - (b) Protect residents from accidents and injuries.**
 - (c) Be responsible for safety of residents in case of emergency.**
- (5) The home shall have adequate and sufficient staff on duty at all times who are awake, fully dressed, and capable of providing for resident needs consistent with the resident service plans.**
- (6) The home shall establish and implement a staff training program based on the home's program statement, the residents service plans, and the needs of employees, such as any of the following:**
 - (a) Reporting requirements and documentation.**
 - (b) First aid and/or medication, if any.**
 - (c) Personal care.**
 - (d) Resident rights and responsibilities.**
 - (e) Safety and fire prevention.**
 - (f) Containment of infectious disease and standard precautions.**
 - (g) Medication administration, if applicable.**
- (7) The home's administrator or its designees, are responsible for evaluating employee competencies.**

R 325.1932 Resident medications

- Rule 32. (1) Medication shall be given, taken, or applied pursuant to labeling instructions or signed orders by the prescribing licensed health care professional.
- (2) The giving, taking, or applying of prescription medications shall be supervised by the home in accordance with the resident's service plan.**
 - (3) If a home or the home's administrator or direct care staff member supervises the taking of medication by a resident, then the home shall comply with all of the following provisions:**
 - (a) Be trained in the proper handling and administration of medication.**
 - (b) Complete an individual medication log that contains all of the following information:**
 - (i) The medication.**
 - (ii) The dosage.**
 - (iii) Label instructions for use.**
 - (iv) Time to be administered.**
 - (v) The initials of the person who administered the medication, which shall be entered at the time the medication is given.**
 - (vi) A resident's refusal to accept prescribed medication or procedures.**
 - (c) Record the reason for each administration of medication that is prescribed on an as needed basis.**
 - (d) Initiate a review process to evaluate a resident's condition if a resident requires the repeated and prolonged use of a medication that is prescribed on an as needed basis. The review process shall include the resident's prescribing licensed health care professional, the resident's authorized representative, if any, and the agency responsible for the resident's placement, if any.**
 - (e) Adjust or modify a resident's prescription medication with written instructions from a prescribing licensed health care professional who has knowledge of the medical needs of the resident. A home shall record, in writing, any instructions regarding a resident's prescription medication.**

- (f) **Contact the appropriate licensed health care professional if a resident repeatedly refuses prescribed medication or treatment. The home shall follow and record the instructions given.**
- (g) **Upon discovery, contact the resident's licensed health care professional if a medication error occurs.**
- (4) **If a resident requires medication while out of the home, then the home shall assure that the resident, or the person who assumes responsibility for the resident, has all of the appropriate information, medication, and instructions.**
- (5) **A home shall take reasonable precautions to ensure or assure that prescription medication is not used by a person other than the resident for whom the medication is prescribed.**
- (6) **Prescription medication that is no longer required by a resident shall be properly disposed of after consultation with a licensed health care professional or a pharmacist.**

R 325.1933 Personal care of residents.

- Rule 33. (1) A home shall provide a resident with necessary assistance with personal care such as, but not limited to, care of the skin, mouth and teeth, hands and feet, and the shampooing and grooming of the hair as specified in the resident's service plan.
- (2) A home shall afford a resident the opportunity and instructions when necessary for daily bathing, oral and personal hygiene, daily shaving, and hand washing before meals. A home shall ensure that a resident bathes at least weekly and more often if necessary.

R 325.1934 Furniture.

- Rule 34. (1) A home shall provide an individual bed at least 36 inches wide, with comfortable springs in good condition and a clean protected mattress not less than 5 inches thick, or 4 inches thick if of synthetic construction.
- (2) A cot or rollaway cot shall not be used as a resident bed.
- (3) A bedside stand or its equivalent shall be available for a resident for the storage of small personal articles.
- (4) A resident may use his or her own personal bed, mattress, and bedside stand or its equivalent, and may bring in personal furniture and possessions as space permits. Furniture and other possessions shall fit comfortably within the resident's own or shared living quarters, be safe and in reasonable condition, and be in compliance with R 29.1801 to R 29.1861 of the health facility fire safety rules.

R 325.1935 Bedding, linens, and clothing.

- Rule 35. (1) Bedding shall be washable, in good condition, and clean, and shall be changed at least weekly or more often as required.
- (2) The home shall assure the availability of clean linens, towels, and washcloths. The supply shall be sufficient to meet the needs of the residents in the home. Individually designated space for individual towels and washcloths shall be provided.
- (3) **The home shall make adequate provision for the laundering of a resident's personal laundry.**
- (4) Rooms and all items in them shall be completely cleaned following the discharge of each resident.

PART 5. RECORDS

R 325.1941 Records; general.

- Rule 41. A resident register, resident records, accident records and incident reports, and employee records and work schedules shall be kept in the home and shall be available to the director or the director's authorized representative.

R 325.1942 Resident records.

Rule 42. (1) A home shall provide a resident record for each resident.

(2) A home shall assure that a current resident record is maintained and that all entries are dated and signed.

(3) The resident record shall include at least all of the following:

(a) Identifying information, including name, marital status, date of birth, and gender.

(b) Name, address, and telephone number of next of kin or authorized representative, if any.

(c) Name, address, and telephone number of person or agency responsible for the resident's maintenance and care in the home.

(d) Date of admission.

(e) Date of discharge, reason for discharge, and place to which resident was discharged, if known.

(f) Health information, as required by MCL 333.20175(1), and other health information needed to meet the resident's service plan.

(g) Name, address, and telephone number of resident's licensed health care professional.

(h) The resident's service plan.

(4) A home shall keep a resident's record in the home for at least 2 years after the date of a resident's discharge from the home.

R 325.1943 Resident registers.

Rule 43. (1) A home shall maintain a current register of residents which shall include all of the following information for each resident:

(a) Name, date of birth, gender, and room.

(b) Name, address, and telephone number of next of kin or authorized representative, if any.

(c) Name, address, and telephone number of person or agency responsible for resident's maintenance and care in the home.

(d) Date of admission, date of discharge, reason for discharge, and place to which resident was discharged, if known.

(e) Name, address, and telephone number of resident's licensed health care professional, if known.

(2) A register of all residents shall be maintained at all times for the previous 2 years.

R 325.1944 Employee records and work schedules.

Rule 44. (1) A home shall maintain a record for each employee which shall include all of the following:

(a) Name, address, telephone number, and social security number.

(b) License or registration number, if applicable.

(c) Date of birth.

(d) Summary of experience, education, and training.

(e) Beginning date of employment and position for which employed.

(f) References, if provided.

(g) Results of annual tuberculosis screening as required by R 325.1923(2).

(h) Date employment ceases and reason or reasons for leaving, if known.

(i) Criminal background information, consistent with MCL 333.20173.

(2) The home shall prepare a work schedule showing the number and type of personnel scheduled to be on duty on a daily basis. The home shall make changes to the planned work schedule to show the staff who actually worked.

- (3) The home shall retain the work schedules for the preceding 3 months.

PART 6. FOOD SERVICE

R 325.1951 Nutritional need of residents

Rule 51. A home shall meet the food and nutritional needs of a resident in accordance with the recommended daily dietary allowances of the food and nutrition board of the national research council of the national academy of sciences, adjusted for age, gender, and activity, or other national authority acceptable to the department, except as ordered by a licensed health care professional.

R 325.1952 Meals and special diets.

Rule 52. (1) A home shall offer 3 meals daily to be served to a resident at regular meal times. A home shall make snacks and beverages available to residents.

(2) A home shall work with residents when feasible to accommodate individual preferences.

(3) A home shall assure that the temporary needs for meals delivered to a resident's room are met.

(4) Medical nutrition therapy, as prescribed by a licensed health care professional and which may include therapeutic diets or special diets, supplemental nourishments or fluids to meet the resident's nutritional and hydration needs, shall be provided in accordance with the resident's service plan unless waived in writing by a resident or a resident's authorized representative.

(5) A home shall prepare and serve meals in an appetizing manner.

(6) A home shall provide a table or individual freestanding tray of table height for a resident who does not go to a dining room.

R 325.1953 Menus.

Rule 53. (1) A home shall prepare and post the menu for regular and therapeutic or special diets for the current week. Changes shall be written on the planned menu to show the menu as actually served.

(2) A home shall maintain a copy of all menus as actually served to residents for the preceding 3 months.

R 325.1954 Meal and food records

Rule 54. The home shall maintain a record of the meal census, to include residents, personnel, and visitors, and a record of the kind and amount of food used for the preceding 3 month period.

PART 7. BUILDINGS AND GROUNDS

R 325.1961 Plans and specifications.

Rule 61. (1) A floor plan of the home, with a description of rooms showing size, use, door locations, window area, and number of beds, shall be on file in the home.

(2) Complete plans, specifications, and an operational narrative for new buildings, additions, major building changes, and conversion of existing facilities to use as a home shall be submitted to the department for review to assure compliance with the law and these rules.

(3) An operational narrative shall describe the operational characteristics and special needs of the home that dictate the design of renovation, construction, or conversion needed to support the

home's program statement as defined by R 325.1901(15). An operational narrative may include any of the following:

- (a) Each function to be performed in the home.
 - (b) Functional space requirements.
 - (c) Number of staff or other occupants anticipated for the various functional units.
 - (d) Type of equipment to be required and utilized.
 - (e) Interrelationship of functional spaces.
 - (f) Services and equipment to be brought into the home from outside the home and not requiring duplication in the home.
- (4) Plans and specifications meeting the requirements of the law and these rules shall be approved by the department.
- (5) Construction of new buildings, additions, major building changes, and conversion of existing facilities to use as a home shall not begin until the plans and specifications are approved by the department and written approval to begin construction is issued.

R 325.1962 Exteriors.

- Rule 62. (1) The home shall be located in an area free from hazards to the health and safety of residents, personnel, and visitors.
- (2) The premises shall be maintained in a safe and sanitary condition and in a manner consistent with the public health and welfare.
- (3) Sufficient light for an exterior ramp, step, and porch shall be provided for the safety of persons using the facilities.
- (4) Exterior steps shall have a handrail on both sides. An above grade porch shall have a railing on open sides.

R 325.1963 Accessibility

- Rule 63. (1) A new construction or a home undergoing addition, major building modification, or conversion shall comply with all of the following:
- (a) Applicable statutory accessibility requirements.
 - (b) Applicable accessibility requirements for common and shared facilities.
 - (c) Accessibility requirements for 10% of all resident sleeping rooms and the connecting bathing or toilet rooms.

R 325.1964 Interiors.

- Rule 64. (1) A building shall be of safe construction and shall be free from hazards to residents, personnel, and visitors.
- (2) A part of a building in use as a home shall not be used for any purpose which interferes with the care, well-being, and safety of residents, personnel, and visitors.
- (3) An occupied room shall have a minimum ceiling height of 7 feet, 6 inches, except as otherwise provided in R325.1964(4) and (5).
- (4) Floor area under a part of a drop or slant ceiling which is less than 6 1/2 feet from the floor shall not be used in computing the usable floor space or maximum number of beds allowed in any sleeping room.
- (5) A bed and the working space around a bed shall not be directly under a part of a drop or slant ceiling that is less than 6 1/2 feet from the floor.
- (6) Each area of the home shall be provided with lighting commensurate with the use made of each area and in accordance with generally recognized standards.

- (7) A stairway or ramp shall have a handrail on both sides.**
- (8) A room used for living or sleeping purposes shall have a minimum total window glass area on outside walls equal to 10% of the required floor area of the room. Forty-five percent of the window glass area shall be openable unless the room is artificially ventilated.**
- (9) Ventilation shall be provided throughout the facility in the following manner:**
 - (a) A room shall be provided with a type and amount of ventilation that will control odors and contribute to the comfort of occupants.**
 - (b) Bathing rooms, beauty shops, toilet rooms, soiled linen rooms, janitor closets, and trash holding rooms shall be provided with a minimum of 10 air changes per hour of continuously operated exhaust ventilation that provide discernable air flow into each of these rooms.**
- (10) A resident room shall open to a corridor, lobby, or day room. Traffic to and from any room shall not be through a sleeping room, kitchen, bathroom, toilet room, or storage room, except where a toilet room, bathroom, or storage room opens directly off the room or rooms which it serves.**
- (11) A doorway, passageway, corridor, hallway, or stairwell shall be kept free from obstructions at all times.**
- (12) A floor, wall, or ceiling shall be covered and finished in a manner that will permit maintenance of a sanitary environment.**
- (13) A basement shall be of such construction that it can be maintained in a dry and sanitary condition.**
- (14) A minimum of 15 square feet of floor space per licensed bed shall be provided for day room, dining, recreation, and activity purposes.**
- (15) A basement or cellar shall not be used for sleeping or living quarters, except that recreation and activity space may be provided in a basement in addition to the 15 square feet per licensed bed required in subrule (14) of this rule.**
- (16) A room or compartment housing a water closet shall have a minimum width of 3 feet.**
- (17) Emergency electrical service shall provide, at a minimum, battery-operated lighting units sufficient to light corridors and exits.**
- (18) A home shall provide functionally separate living, sleeping, dining, handwashing, toilet, and bathing facilities for employees and members of their families who live on the premises.**

R 325.1965 Elevators and space requirements for certain homes.

Rule 65. (1) A new construction, addition, major building change, or conversion after November 14, 1969 shall provide all of the following:

- (a) An elevator if resident bedrooms are situated upon more than one floor level. An elevator shall have a minimum cab size of 5 feet by 7 feet, 6 inches.**
- (b) A sleeping, day, dining, recreation, and activity room with a minimum ceiling height of 8 feet.**
- (c) In a room requiring windows, a clear unobstructed horizontal view of 20 feet from the windows. One additional foot shall be added to the minimum distance of 20 feet for each 2-foot rise above the first story up to a maximum of 40 feet of required unobstructed view.**
- (d) A minimum of 30 square feet of floor space per licensed bed for day room, dining, recreation, and activity purposes.**

R 325.1966 Public and employee areas.

Rule 66. (1) A lobby or waiting area for visitors shall be separate from resident rooms.

- (2) Employees shall have adequate toilet facilities that are separate from resident living quarters.**

R 325.1967 Resident rooms

Rule 67. (1) A resident bedroom shall have the floor surface at or above grade level along exterior walls with windows.

(2) A single resident room shall have at least 80 square feet of usable floor space.

(3) A multi-bed resident room shall have at least 70 square feet of usable floor space per licensed bed.

(4) A toilet room or closet shall not be included in usable floor space.

(5) A multi-bed resident room shall be designed to allow for a 3-foot clearance between beds.

(6) Residents may have their own rooms arranged in a manner that is comfortable and reflects their preferences, provided that the arrangement does not create an unreasonable fire safety risk or unsanitary conditions.

(7) A resident room shall have at least 2 duplex electrical receptacles.

(8) Each resident occupied floor shall have a janitor's closet.

R 325.1968 Toilet and bathing facilities.

Rule 68. (1) Resident toilet facilities shall be located in separate rooms or stalls and shall be provided in the ratio of 1 handwashing facility and water closet for every 8 resident beds per floor.

(2) A bathing facility shall be provided for every 15 resident beds.

(3) All water closets and bathing facilities shall have substantially secured grab bars at least 1 foot long.

(4) A resident toilet room or bathroom shall not be used for storage or housekeeping functions.

R 325.1969 Additional resident area requirements in certain homes.

Rule 69. (1) A new construction, addition, major building change, or conversion after November 14, 1969 shall provide all of the following:

(a) A resident room with not more than 4 beds.

(b) A minimum of 100 square feet of usable floor space in single resident rooms.

(c) A minimum of 80 square feet of usable floor space per licensed bed in multi-bed resident rooms.

(d) A resident room with a minimum of 5 square feet of floor space per licensed bed for wardrobe and closet in addition to other requirements for usable floor space per licensed bed. A bathing or toilet room or vestibule shall not be included in usable floor space.

R 325.1970 Water supply systems.

Rule 70. (1) A home located in an area served by a public water system shall connect to and use that system.

(2) If a public water system is not available, then the location and construction of a well and the operation of the private water system shall comply with the Safe Drinking Water Act, 1976 PA 399, MCL 325.1001 et seq.

(3) A physical cross-connection shall not exist between water systems that are safe for human consumption and those that are, or may at any time become, unsafe for human consumption.

(4) Minimum water pressure available to each plumbing fixture shall exceed 20 pounds per square inch.

(5) The plumbing system shall be designed and maintained so that the possibility of back flow or back siphonage is eliminated.

(6) The plumbing system shall supply an adequate amount of hot water at all times to meet the needs of each resident and the functioning of the various service areas.

(7) The temperature of hot water at plumbing fixtures used by residents shall be regulated to provide tempered water at a range of 105 to 120 degrees Fahrenheit.

R 325.1971 Liquid wastes.

Rule 71. (1) Liquid wastes shall be discharged into a public sanitary sewage system if such a system is available.

(2) Homes that use a private wastewater disposal system shall be approved by the department.

(3) A private wastewater disposal system shall consist of a stabilization lagoon or approved “package” treatment plant. Subsurface disposal systems such as septic tanks with tile fields are not allowed.

(4) The licensee shall obtain a discharge permit issued by the Michigan department of environmental quality pursuant to MCL 324.3101 et seq.

R 325.1972 Solid wastes.

Rule 72. All garbage and rubbish shall be kept in leakproof, nonabsorbent containers. The containers shall be kept covered with tight-fitting lids and shall be removed from the home daily and from the premises at least weekly.

R 325.1973 Heating.

Rule 73. (1) A home shall provide a safe heating system that is designed and maintained to provide a temperature of at least 72 degrees Fahrenheit measured at a level of 3 feet above the floor in rooms used by residents.

(2) A resident's own room or rooms in the home shall be maintained at a comfortable temperature.

R 325.1974 Laundry and linen.

Rule 74. (1) A home that processes its own linen shall provide a well ventilated laundry of sufficient size which shall be equipped to meet the needs of the home.

(2) A home that uses a commercial or other outside laundry facility shall have a soiled linen storage room and a separate clean linen storage room.

R 325.1975 Laundry and linen requirements.

Rule 75. (1) A new construction, addition, major building change, or conversion after November 14, 1969 shall provide all of the following:

(a) A separate soiled linen storage room.

(b) A separate clean linen storage room.

(c) A separate laundry processing room with handwashing facilities in home that process their own linen.

(d) Commercial laundry equipment with a capacity to meet the needs of the home in home that process their own linen.

R 325.1976 Kitchen and dietary

Rule 76. (1) A home shall have a kitchen and dietary area of adequate size to meet food service needs of residents. It shall be arranged and equipped for the refrigeration, storage, preparation, and serving of food, as well as for dish and utensil cleaning and refuse storage and removal.

- (2) Food stored, prepared, and served shall meet the requirement of MCL 289.1101 et seq.
- (3) Multi-use utensils used in food storage, preparation, transportation, and serving shall be designed, cleaned, and sanitized in accordance with the requirements of MCL 289.1101 et seq.
- (4) Food equipment and work surfaces shall meet the requirements of MCL 289.1101 et seq.
- (5) If food service is provided from an outside service, then that service shall be licensed under the requirements of the citation.

R325.1977 New construction, addition, major building modification, or conversion after effective date of these rules.

Rule 77. (1) Exhaust ventilation shall be designed as central systems with the fan at the building exterior and at least 10 feet from all doors, operable windows, and domestic outside air intakes.

(2) Facilities for dispensing of medications shall be designed to be under the control of responsible residents or designated staff. Central dispensing locations shall be kept locked and equipped with handwashing, work counter, and storage facilities.

(3) Bathing facilities shall have access to handwashing, toilet, and bathing supply storage facilities without entering a common corridor.

R 325.1978 Insect and vermin control.

Rule 78. (1) A home shall be kept free from insects and vermin.

(2) Pest control procedures shall be carried out in compliance with MCL 324.8301 et seq.

R 325.1979 General maintenance and storage.

Rule 79. (1) The building, equipment, and furniture shall be kept clean and in good repair.

(2) A room shall be provided in the home or on the premises for equipment and furniture maintenance and repair and storage of maintenance equipment and supplies.

(3) Hazardous and toxic materials shall be stored in a safe manner.

R 325.1980 Soap and towels.

Rule 80. Soap and single use towels shall be available for the use of employees and visitors. Use of the common towel is prohibited.

PART 8. EMERGENCY PROCEDURES

R 325.1981 Disaster plans

Rule 81. (1) A home shall have a written plan and procedure to be followed in case of fire, explosion, loss of heat, loss of power, loss of water, or other emergency.

(2) A disaster plan shall be available to all employees working in the home.

(3) Personnel shall be trained to perform assigned tasks in accordance with the disaster plan.

NOTICE OF PUBLIC HEARING

ORR # 2000-090

DEPARTMENT OF CONSUMER AND INDUSTRY SERVICES

DIRECTOR'S OFFICE

HOMES FOR THE AGED

Home for the Aged Administrative Rules

R325.1901 – R325.1981

Rule Set #2000-090 CI Home for the Aged

NOTICE OF PUBLIC HEARING

November 3, 2003 9:00 a.m.-11:00 a.m.

Michigan Historical Center - "The Forum"

717 W. Allegan Street; Lansing, Michigan

The Department of Consumer and Industry Services will hold a public hearing on Monday, November 3, 2003, in "The Forum" at the Michigan Historical Center. The hearing will be held to receive public comments on proposed changes to the home for the aged administrative rules.

The proposed rules will pertain to the following: definitions, license applications, administrative actions, hearing procedures, governing bodies, management, admissions, employee health, reporting of incidents and accidents, resident care, employees, medications, furniture, bedding, record keeping, food services, floor plans, buildings and grounds, water supply, wastes, laundry, and emergency procedures.

Comments on the rules may be made in person at the hearing or by mail, FAX, or Electronic mail until 5:00 p.m. on November 14, 2003. Kindly send your comments to the address listed below.

These rules are promulgated by authority conferred on the Department of Consumer & Industry Services by Section 427 of 1965 PA 380, Section 2233 of 1978 PA 368, Executive Reorganization Order Nos. 1996-1 and 1996-2, MCL 16.527, 333.2233, 330.3101 and 445.2001. These rules will take effect on April 1, 2004.

The rules are published on the Michigan Government web site at <http://www.michigan.gov/orr> and in the *Michigan Register* in the October 1, 2003 issue. Copies of the draft rules may also be obtained by mail or electronic transmission at the following address:

Department of Consumer and Industry Services
Bureau of Family Services
c/o HFA Rules Review
P. O. Box 30650
Lansing MI 48909-8150

Phone: 517/373-8580 FAX: 517/ 335-6121 E-mail: tmcwho@michigan.gov

The public hearing will be conducted in compliance with the 1990 Americans With Disabilities Act, in an accessible building with handicap parking available. Anyone needing assistance to take part in the hearing can call 517/335-6124 to make arrangements.

PROPOSED ADMINISTRATIVE RULES

ORR #2003-028

DEPARTMENT OF CONSUMER & INDUSTRY SERVICES

~~BOARD OF NURSING~~ DIRECTOR'S OFFICE

BOARD OF NURSING - GENERAL RULES

Filed with the Secretary of State on
These rules take effect 7 days after filing with the Secretary of State

(By authority conferred on the ~~board of nursing by section 16145 of Act No. 368 of the Public Acts of 1978, as amended, being §333.16145 of the Michigan Compiled Laws~~ **director of the department of consumer and industry services by section 17201 of Act No. 368 of the Public Acts of 1978 1978 PA 368, MCL 333.17201 et seq. , as amended,** and Executive Reorganization Order Nos. 1996-1 and 1996-2, MCL 330.3101 and 445.2001)

NOTE: Effective September 1, 1991, the powers, duties and functions of the Michigan Department of Licensing and Regulation were transferred to the Michigan Department of Commerce, pursuant to Executive Order 1991-9. Effective May 15, 1996, the powers, duties and functions of the Michigan Department of Commerce were transferred to the Michigan Department of Consumer and Industry Services, pursuant to Executive Order 1996-2. After May 15, 1996, all reference made to either the Department of Licensing and Regulation or the Department of Commerce in law or rule shall be construed to mean the Michigan Department of Consumer and Industry Services.

R 338. 10101, R 338.10102, R 338. 10201, R 338.10202, R 338.10204, R 338.10206, R 338.10301, R 338.10303, R 338.10307, R 338.10404, R 338.10405, and R 338.10603 of the Michigan Administrative Code are amended as follows:

PART 1. GENERAL PROVISIONS

R 338.10101 Definitions.

Rule 101. (1) As used in this part:

- (a) "Act" means ~~Act No. 368 of the Public Acts of 1978, as amended, being §~~ **1978 PA 368, MCL 333.1101 et seq. of the Michigan Compiled Laws.**
 - (b) "Authorized representative" means the chairperson, vice chairperson, or such other member of the board or staff as the board may formally designate.
 - (c) "Board" means the Michigan board of nursing.
- (2) Terms defined in the act have the same meanings when used in these rules.

R 338.10102 Request for board action.

Rule 102. (1) A person who desires to submit a request for declaratory ruling under ~~Act No. 306 of the Public Acts of 1969, as amended, being §~~ **1969 PA 306, MCL 24.201 et seq. of the Michigan Compiled**

~~Laws~~, shall make that request in writing. The request shall be filed with the Michigan Board of Nursing, Department of ~~Licensing and Regulation~~ **Consumer and Industry Services, 611 West Ottawa, P.O. Box 30018 30670**, Lansing, MI 48909.

(2) The board or its authorized representative may require the person to submit additional information necessary to make an appropriate resolution of the matter.

R 338.10104 Delegation.

Rule 104. (1) Only a registered nurse may delegate nursing acts, functions, or tasks. A registered nurse who delegates nursing acts, functions, or tasks shall do all of the following:

- (a) Determine whether the act, function//, or task delegated is within the registered nurse's scope of practice.
- (b) Determine the qualifications of the delegatee before such delegation.
- (c) Determine whether the delegatee has the necessary knowledge and skills for the acts, functions//, or tasks to be carried out safely and competently.
- (d) Supervise and evaluate the performance of the delegatee.
- (e) Provide or recommend remediation of the performance when indicated.

(2) The registered nurse shall bear ultimate responsibility for the performance of nursing acts, functions, or tasks performed by the delegatee within the scope of the delegation.

PART 2. LICENSURE

R 338.10201 Definitions.

Rule 201. (1) As used in this part:

(a) "Act" means ~~Act No. 368 of the Public Acts of 1978, as amended, being § 1978 PA 368, MCL 333.1101 et seq. of the Michigan Compiled Laws.~~

(b) "Board" means the Michigan board of nursing.

(c) "Completed a practical nurse education program acceptable to the board" means 1 of the following:

(i) That the applicant is a graduate of a practical nurse education program which is located in ~~Michigan~~ **this state** and which is approved by the board.

(ii) That the applicant is a graduate of a practical nurse education program which is located in another **state or territory of the** United States ~~jurisdiction if~~, as required by § 333.16186, **and** that program is substantially equivalent to the program requirements of article 15 of the act and the rules promulgated by the board.

(iii) That the applicant is a graduate of a nurse education program that is substantially equivalent to a practical nurse education program approved by the board. ~~and the~~ **The** applicant has completed the core curriculum for practical nurse applicants. ~~The board shall consider in a nurse education program which is not less than 30 weeks in duration and which includes courses in both theory and clinical practice. in not less than 3 of the 4 areas of nursing included in the core curriculum for practical nurse applicants as substantially equivalent to a practical nurse education program that is approved by the board.~~

(d) "Completed a registered nurse education program acceptable to the board" means 1 of the following:

(i) That the applicant is a graduate of a registered nurse education program which is located in ~~Michigan~~ **this state** and which is approved by the board.

(ii) That the applicant is a graduate of a registered nurse education program which is located in another **state or territory of the** United States ~~jurisdiction if~~, as required by § 333.16186, **and** that program is substantially equivalent to the program requirements of article 15 of the act and the rules promulgated by the board.

(iii) That the applicant is a graduate of a nurse education program which is located outside of the United States and that the applicant is in compliance with the requirements for a certificate from the commission on graduates of foreign nursing schools (**cgfns**) pursuant to the requirements set forth in the document entitled ~~“Guidebook for Applicants, Edition 17a, January, 1991.”~~ **“Path to CGFNS Certification: Applicant Handbook, Edition 29” August, 2001.** A copy of the guidebook can be obtained, at no cost, from the **Commission on Graduates of Foreign Nursing Schools, 3600 Market Street, Suite 400, Philadelphia, PA 19104-2651** or from the commission’s website at **<http://www.cgfns.org>**. A copy of the handbook is available for inspection or distribution at cost from the Department of Commerce Consumer and Industry Services, 611 West Ottawa, P.O. Box 30018 30670, Lansing, MI 48909. , or from the Commission on Graduates of Foreign Nursing Schools, 3600 Market Street, Suite 400, Philadelphia, PA 19194.

(A) If the applicant is a graduate of a nurse education program that is located outside of the United States, has passed the NCLEX examination, and has ~~obtained from another U.S. state a license that has been active and has not been sanctioned for at least 5 years immediately preceding the application for a Michigan license,~~ maintained an active license, with no disciplinary sanctions, in a U.S. state, this country for at least 5 years immediately preceding the application for a Michigan license, then the applicant shall be exempt from completing the requirements for a certificate from the commission on graduates of foreign nursing schools.

(iv) That the applicant is a graduate of a Canadian registered nurse program that is approved by a province in Canada and is taught in English. The applicant shall hold a license to practice nursing in Canada that is active and has not been sanctioned. ~~for a period of at least 5 years immediately preceding the application for a Michigan license.~~

(e) “Core curriculum for practical nurse applicants” means courses in both didactic instruction and planned clinical learning in each of the following 4 areas of nursing:

(i) Medical nursing, which consists of the study of nursing care for the adult patient, both male and female, who is in the acute or chronic phases of a medical illness.

(ii) Obstetrical nursing, which consists of the study of nursing care for women in the antepartum, labor/delivery, and postpartum phases of pregnancy, and includes the care of the newborn infant and may be referred to as maternal-child nursing. Gynecological nursing alone does not fulfill this obstetric nursing education requirement.

(iii) Pediatric nursing, which consists of the study of nursing care for children whose ages range from birth through adolescence and who are receiving nursing care for both medical and surgical reasons. This education does not include newborn nursing education.

(iv) Surgical nursing, which consists of the study of nursing care for the adult patient, both male and female, who is receiving nursing care for a surgical procedure.

(f) “Core curriculum for registered nurse applicants” means courses in both didactic instruction and planned clinical learning in each of the following 5 areas of nursing:

(i) Medical nursing, which consists of the study of nursing care for the adult patient, both male and female, who is in the acute or chronic phases of a medical illness.

(ii) Obstetrical nursing, which consists of the study of nursing care for women in the antepartum, labor/delivery, and postpartum phases of pregnancy, and includes the care of the newborn infant and may be referred to as maternal-child nursing. Gynecological nursing alone does not fulfill this obstetric nursing education requirement.

(iii) Pediatric nursing, which consists of the study of nursing care for children whose ages range from birth through adolescence and who are receiving nursing care for both medical and surgical reasons. This education does not include newborn nursing education.

(iv) Psychiatric nursing, which consists of the nursing care of patients who are receiving nursing care for an acute or chronic psychiatric disorder. It may also be referred to as mental health nursing. Education that covers only areas of mental retardation, organic brain syndromes, or neurological diseases does not fulfill the psychiatric nursing education requirement.

(v) Surgical nursing, which consists of the study of nursing care for the adult patient, both male and female, who is receiving nursing care for a surgical procedure.

(g) “Department” means the Michigan ~~department of commerce~~ **department of consumer and industry services**.

(2) Terms defined in the act have the same meanings when used in these rules.

R 338.10202 Examination; adoption; passing scores.

Rule 202. The board approves and adopts the examinations developed by the national council of state boards of nursing, inc., hereafter identified as the “NCLEX-RN” for the registered nurse and the “NCLEX-PN” for the practical nurse. ~~The passing score on the NCLEX-RN shall be a converted score of not less than 75 and the passing score on the NCLEX-PN shall be a converted score of not less than 75.~~ **Examinees shall achieve a score of pass on the NCLEX computerized adaptive test (cat).**

R 338.10204 Examinations; eligibility; reexaminations.

Rule 204. (1) To assure eligibility for the examination, an applicant shall submit a completed application on forms provided by the department, together with the requisite fee.

(2) To be eligible to sit for the NCLEX-RN, an applicant shall establish that he or she has completed a registered nurse education program that is acceptable to the board.

(3) To be eligible to sit for the NCLEX-PN, an applicant shall establish that he or she has completed a practical nurse education program that is acceptable to the board.

(4) To be eligible to sit for the NCLEX-PN, an applicant whose nursing education was taught in a language other than English shall demonstrate a working knowledge of the English language in addition to meeting the other requirements of this rule. To demonstrate a working knowledge of English, an applicant shall ~~establish either of the following:~~ **document**

~~(a) That he or she has achieved an average score of 80, with scores of not less than 75, on all sections of the English proficiency examination administered by the Michigan state university English language clinic.~~

~~(b) That~~ **that** he or she has obtained a **scaled** score of not less than 550 on the **paper-based** test **or a scaled score of not less than 213 on the computer-based test** of English as a foreign language that is administered by the educational testing service and obtained a score of not less than 50 on the test of spoken English that is administered by the educational testing service.

(5) **An applicant shall complete the NCLEX-RN within 12 months of his or her first attempt at the test in this state or any other U.S. another state. The first attempt at the test shall occur within 2 years of graduation from a registered nurse education program.** ~~An applicant may sit for the NCLEX-RN a maximum of 6 times within a 3-year period from the first time he or she sat for the examination in this or any other state. An applicant who has not achieved a passing score on the examination in accordance with the provisions of this subrule~~ **within the 12-month period** shall not be eligible to ~~again sit~~ **again** sit for the NCLEX-RN until the applicant has ~~repeated~~ **completed** a registered nurse education program that is acceptable to the board. ~~Thereafter, an applicant may sit for the examination a maximum of 6 times within a 3-year period from the first time he or she sat for the examination after repeating the required registered nurse education program. An applicant who has not achieved a passing score on the examination in accordance with the provisions of this subrule shall not be eligible to again sit for the NCLEX-RN until he or she has again repeated a registered nurse~~

~~education program that is acceptable to the board. Thereafter, an applicant may sit for the examination an additional cycle of three~~ **3 times after repeating the required registered nurse education program. An applicant may sit for the NCLEX-RN a maximum of six** ~~6 times total.~~

(6) An applicant shall complete the NCLEX-PN within 12 months of his or her first attempt at the test in this state or any other U.S. another state. The first attempt at the test shall occur within 2 years of graduation from a practical nurse education program. An applicant may sit for the NCLEX-PN a maximum of 6 times within a 3-year period from the first time he or she sat for the examination in this or any other state. An applicant who has not achieved a passing score on the examination in accordance with the provisions of this subrule within the 12-month period shall not be eligible to again sit again for the NCLEX-PN until the applicant has repeated completed a practical nurse education program that is acceptable to the board. Thereafter, an applicant may sit for the examination a maximum of 6 times within a 3-year period from the first time he or she sat for the examination after repeating the required practical nurse education program. An applicant who has not achieved a passing score on the examination in accordance with the provisions of this subrule shall not be eligible to again sit for the NCLEX-PN until he or she has again repeated a practical nurse education program that is acceptable to the board. Thereafter, an applicant may sit for the examination an additional cycle of three **3 times after repeating the required practical nurse education program. An applicant may sit for the NCLEX-PN a maximum of six** ~~6 times total.~~

R 338.10206 Licensure by endorsement; requirements.

Rule 206. (1) An applicant for licensure by endorsement shall submit a completed application on a form provided by the department, together with the requisite fee. In addition to meeting the other requirements of the act and the administrative rules promulgated pursuant thereto, an applicant who satisfies the requirements of this rule shall be deemed to meet the requirements of section 16186(1)(a) and (d) of the code.

(2) An applicant for a registered nurse license shall meet both of the following requirements:

(a) The applicant shall establish that he or she has completed a registered nurse education program that is acceptable to the board as defined in R 338.10201 or that he or she meets all of the following requirements:

(i) Was first licensed in another state before the effective date of this amendatory rule.

(ii) Is a graduate of a nurse education program that is located outside the United States.

(iii) Is a graduate of a nurse education program which is not less than 60 weeks in duration and which includes courses in both theory and clinical practice ~~in not less than 3 of the 5 areas of nursing included in the core curriculum~~ for registered nurse applicants.

(iv) Has completed the core curriculum for registered nurse applicants.

(b) An applicant shall establish 1 of the following:

(i) That he or she was first licensed as a registered nurse in another state pursuant to an examination that was taken before July 13, 1982.

(ii) That he or she was first licensed as a registered nurse in another state pursuant to an examination that was taken on or after July 13, 1982, but before February 14, 1989, and achieved a score of not less than 1600 on the NCLEX-RN.

(iii) That he or she was first licensed as a registered nurse in another state pursuant to an examination that was taken on or after February 14, 1989, and achieved a ~~passing score of~~ **pass** on the NCLEX-RN. ~~of not less than a converted score of 75.~~

(3) An applicant for a practical nurse license shall meet both of the following requirements:

(a) The applicant shall establish that he or she has completed a practical nurse education program that is acceptable to the board.

(b) An applicant shall establish 1 of the following:

(i) That he or she was first licensed as a practical nurse in another state pursuant to an examination that was taken before October 19, 1982.

(ii) That he or she was first licensed as a practical nurse in another state pursuant to an examination that was taken on or after October 19, 1982, but before October 18, 1988, and achieved a score of not less than 350 on the NCLEX-PN.

(iii) That he or she was first licensed as a practical nurse in another state pursuant to an examination that was taken on or after October 18, 1988, and achieved a ~~passing~~ score **of pass** on the NCLEX-PN. ~~of not less than a converted score of 75.~~

PART 3. NURSING EDUCATION PROGRAMS

R 338.10301 Definitions.

Rule 301. As used in this part:

(a) “Act” means ~~Act No. 368 of the Public Acts of 1978, as amended, being § 1978 PA 368, MCL 333.1101 et seq. of the Michigan Compiled Laws.~~

(b) “Clinical experience” means direct nursing care experiences with patients or clients which offer students the opportunity to integrate, apply, and refine specific skills and abilities which are based on theoretical concepts and scientific principles.

(c) “Clinical laboratory hours” means those hours of the curriculum which are assigned to laboratory practice, simulated learning, and observational experiences which offer the student the opportunity to meet educational objectives.

(d) “Conceptual framework” means the distinct, systematic organization of concepts which is derived from the philosophy and purposes of the program and gives direction to the curriculum.

(e) “Cooperating agency” means an individual, organization, or institution which, by written agreement or letter of intent, accepts students and faculty for nursing educational experiences.

(f) “Curriculum” means implementation of the philosophy, purposes, program objectives, and conceptual framework of the nursing program through the systematic arrangement of courses, including objectives stated in measurable terms and accomplished through appropriate learning experiences planned for a clearly defined group of students and extending over a period of time. Systematic and ongoing evaluation within the context of measurable objectives is inherent in the curriculum.

(g) “Director of the nursing program” means a qualified nurse who is delegated the authority and accountability for the nursing program by the sponsoring agency.

(h) “Full approval” means approval of a program granted after satisfactory demonstration to the board of compliance with these rules.

(i) “Initial approval” means approval which is granted by the board to inaugurate a program of nursing education.

(j) “Instruction” means educational methodology for achieving curriculum objectives in a classroom.

(k) “Learning experiences” means planned learning situations, which may include clinical experiences, clinical laboratory hours, or classroom instruction.

(l) “Major program change” means revision of the program’s philosophy, conceptual framework, or objectives; curriculum revision relating to a revision of the program’s philosophy, conceptual framework, or objectives **or change in primary instructional method**; the elimination of separate course content for an integrated approach; or a permanent expansion in the number of students served.

(m) “Nursing process” means the ongoing assessment, analysis, planning, implementation, and evaluation of nursing care.

- (n) “Observational experience” means a planned learning situation which is nonparticipatory and does not require intervention by the student. Experience shall meet preplanned stated objectives and provide for faculty and student evaluation.
- (o) “Philosophy” means the stated beliefs of a faculty about nursing education and practice which determine the design of the curriculum and the evaluation of the program and which are consistent with the educational philosophy of the sponsoring agency.
- (p) “Practical nurse program” means a nursing program to prepare students for practical nurse licensure. The program is approximately 1 year in duration and awards a certificate of completion.
- (q) “Program of nursing education” means a plan or design indicating the relationship of the components necessary to achieve the goal of preparing persons for licensure as registered or practical nurses under the act.
- (r) “Progress report” means a document to be submitted to the board at a specified interval to respond to definitive questions and requirements of the board as outlined in written form by the board to the sponsoring agency.
- (s) “Registered nurse program” means a nursing program to prepare students for **initial** registered nurse licensure. ~~The program awards an associate degree with a major in nursing, a diploma in nursing, or a bachelor of science degree in nursing.~~
- (t) “Self-study report” means a report of all aspects of a program of nursing education based upon the requirements of this part and prepared by the sponsoring agency. The report follows thorough review of all aspects of the program of nursing education by persons who are knowledgeable about the program.
- (u) “Site visit” means a physical inspection of an institution and all the components of its program of nursing education for the purpose of determining compliance with the requirements of this part.
- (v) “Sponsoring agency” means the organization or institution of which the nursing program is a component.

R 338.10303 Program approval; procedure.

Rule 303. (1) The following requirements are established for initial approval of a program of nursing education:

- (a) The sponsoring agency shall submit all of the following to the board:
- (i) A letter of intent to initiate a program of nursing education.
- (ii) Evidence that the mission of the sponsoring agency is consistent with provision of a program to prepare students for the practice of nursing as defined in the act.
- (iii) Evidence that the sponsoring agency will provide funding and other support for a nursing education program which meets the requirements defined in this part.
- (iv) If the sponsoring agency is an institution requiring approval of the Michigan department of ~~education~~ **career development** to conduct a nursing education program or to confer a particular degree or certificate upon the graduates of the program, a copy of the Michigan department of ~~education~~ **career development** approval shall be submitted to the board.
- (v) Evidence of the availability of sufficient cooperating agencies which meet the requirements of R 338.10307(5), (6), (7), and (8) to provide clinical experiences for the program.
- (vi) Proposed number of students to become enrolled in the program annually.
- (vii) Proposed first date of admission of students to the nursing sequence of the program.
- (viii) Plans to recruit and employ a qualified director for the program and other faculty members sufficiently in advance of admitting students to the nursing sequence to assure consistency in the planning and implementation of the curriculum. If already appointed, the names and qualifications of the director of the program and other faculty members shall be provided.

(b) The board shall require a site visit to the program by the nurse consultant of the board in advance of considering initial approval. A report of the site visit ~~will~~ **shall** be prepared by the nurse consultant and provided to the board and the sponsoring agency.

(c) Following initial approval from the board and before initiating the nursing sequence, the program shall submit a self-study report which is approved by the board. The report shall set forth evidence of plans for compliance with the educational requirements of this part.

(d) Annually, the program director shall submit a progress report during the period of initial approval. When applicable, the progress report shall include information about each of the following:

- (i) Admission, progression, and retention of students.
- (ii) Student achievement on the required licensure examination.
- (iii) Program evaluation.
- (iv) Program changes.

(2) The sponsoring agency may apply to the board for full approval of the program after graduation of the second class, but shall apply not later than graduation of the fourth class. One class shall be counted for each 12-month period. The following requirements are established for full approval of a program of nursing education:

(a) The sponsoring agency shall make application to the board in the form of a letter.

(b) The sponsoring agency shall submit a self-study report. The report shall set forth evidence of compliance with the educational requirements of this part.

(c) The board shall require a site visit to the program by the nurse consultant of the board before considering full approval. A report of the site visit ~~will~~ **shall** be prepared by the nurse consultant and provided to the board and the sponsoring agency.

(d) When granted full approval for the program of nursing education, the sponsoring agency shall continue to meet all of the requirements of this rule. Every 4 years the sponsoring agency shall submit a report to the board which is accepted by the board. The report will alternate a self-study report with an abbreviated report on a form prepared by the board so that a self-study report is submitted every 8 years **for non-accredited programs and at least every 10 years for accredited programs**. A self-study report prepared for accreditation or ~~reaccreditation~~ **re-accreditation** by ~~the national league for nursing~~ **a nationally recognized accrediting agency of nursing education programs** may be submitted in place of the self-study report prepared for the board. **The schedule for submission of self-study reports for accredited programs shall follow the schedule of the nationally recognized accrediting agency. These reports shall be submitted to the board within 1 month following receipt of the nationally recognized accrediting agency's decision on accreditation of the nursing education program.**

(3) Major program changes shall be submitted to the board in writing and shall be approved by the board before implementation. The type of approval, initial or full, under which a program is conducted shall not be altered when the board approves major program changes. All of the following information shall be submitted when requesting approval of a major program change:

- (a) A comparative description of the current and proposed program or portion of the program which is proposed for change.
- (b) Rationale for the change.
- (c) Plans to evaluate the effect of the change.
- (d) Any supporting documents.

R 338.10304 Program approval; decision.

Rule 304. (1) Within 90 days after all materials requested by the board have been received, the board shall do ~~+~~ **either** of the following:

- (a) Grant initial or full approval of the program or approve the program change when the board finds that the requirements of this part are substantially met.
- (b) Deny initial or full approval or approval of the program change when the board finds that the requirements of this part are not substantially met.
- (2) The board shall issue its decision in writing.
- (3) If approval is denied, the sponsoring agency may request a hearing which shall be conducted pursuant to the provisions of ~~Act No. 306 of the Public Acts of 1969, as amended, being § 1969 PA 306, MCL 24.201 et seq. of the Michigan Compiled Laws.~~

R 338.10307 Curriculum; organization, development, implementation, control, and evaluation.

Rule 307. (1) The curriculum shall be organized, developed, implemented, controlled, and evaluated on a regularly scheduled basis by the director and the faculty within the framework of the philosophy, purposes, and objectives of the sponsoring agency and those approved by the board.

(2) The curriculum objectives shall identify the behavioral expectations of the graduate of the program and ~~will~~ **shall** be used for the following purposes:

- (a) Developing, organizing, implementing, and evaluating the curriculum.
- (b) Identifying objectives for levels of progression and course and program completion.
- (c) Providing to the student an organized pattern to follow in which the sequence of learning is from the simple to the complex and from the known to the unknown, with each learning experience built on previously learned information of nursing and related scientific knowledge.
- (d) Organizing the courses so as to approximate, as closely as possible, the schedules of the sponsoring agency in terms, quarters, semesters, or trimesters.
- (e) Distributing the courses throughout the curriculum so that an unreasonable overload does not exist in any segment of the sequence.
- (3) The statement of the conceptual framework or rationale for the program shall be the basis for the organization of the nursing content of the curriculum.
- (4) The course content and other learning experiences shall promote student growth in all of the following areas:
 - (a) The understanding of the roles and responsibilities of the members of the nursing profession.
 - (b) The application of the principles of nursing and the sciences which are basic to nursing practice in the development of plans of care for the patient or client.
 - (c) The provision of direct and indirect nursing care.
 - (d) The understanding of effective human relations and demonstrating the ability to use these principles in nursing situations.
 - (e) The recognition of physical, ~~psycho-social~~ **psychosocial**, and spiritual needs of ~~diverse patients or clients and patient/client populations in the provision of remedial measures as indicated~~ **nursing care.**
 - (f) The understanding of ~~the manifestations of health and diseases~~ **health, including the manifestations of disease** and the initiation, **organization**, and application of the principles underlying the nursing care provided.
 - (g) Developing skills and abilities in the administration of all aspects of nursing care, including all of the following:
 - (i) Communications.
 - (ii) Problem solving.
 - (iii) Understanding legal and professional responsibilities.
 - (iv) The working relationships with other health care providers.
 - (h) Understanding and protecting the rights of patients or clients.

- (5) All cooperating agencies selected for clinical and laboratory experiences shall have standards of nursing care which demonstrate concern for the patient or client and evidence the skillful application of all measures of safe nursing practice.
- (6) All cooperating agencies shall have a current license, if required, for their operation and adhere to the local zoning ordinances governing their operation.
- (7) When a site visit is made, cooperating agencies may be surveyed as a part of the review process to determine the contribution each makes to the course and program objectives. Selection shall be made by the site visitor.
- (8) Each resource selected to provide clinical experience shall indicate a willingness to cooperate in the curriculum by providing a letter of intent, a written agreement, or a formal contract. Each resource shall provide experiences of a quality and quantity which will enable the student to meet the objectives established for the clinical experience.

R 338.10308 Registered nurse program; curriculum; implementation.

Rule 308. The director and faculty of a program of nursing education leading to licensure as a registered nurse shall comply with all of the following provisions:

- (a) Select courses and assure teaching concepts for basic content in the biological, physical, behavioral, and other courses supportive of the nursing major which shall assist the student to improve abilities in all of the following areas:
 - (i) Communication.
 - (ii) Interviewing.
 - (iii) Problem solving.
 - (iv) Interpersonal relationships.
- (v) Using scientific principles in providing individualized nursing care to the patient or client. Such courses shall have credits conferred consistent with the policies of the sponsoring agency.
- (b) Provide courses and clinical experiences in the care of all age groups and sexes in medical, surgical, pediatric, geriatric, obstetrical, and psychiatric nursing. Opportunities for learning experiences in community aspects of nursing ~~should~~ **shall** be made available. The elements of the nursing process shall be emphasized in all nursing courses. Clinical laboratory and clinical experience hours shall be sufficient in number to meet the course and program objectives.
- (c) Assure that courses include content relating to all of the following:
 - (i) The legal scope of practice of a registered nurse.
 - (ii) The standards of conduct for members of the nursing profession.
 - (iii) Historical perspectives of nursing and current legal-ethical issues.
 - (iv) Licensure requirements.
- (d) Select cooperating agencies which meet the requirements of R 338.10307(5), (6), and (8).

R 338.10312 Program termination; interruption or reduction of admissions.

Rule 312. (1) The board shall be informed ~~when~~ **if** a date is established for termination of the program of nursing education.

(2) The board shall be informed regarding the system of retention of student records which are needed for endorsement purposes and proof of scholastic achievement. The board shall retain this information in the closed program files so that graduates may be given the source of information upon request.

(3) The board shall be informed ~~when~~ **if** admissions to the program of nursing education are to be reduced or interrupted.

PART 4. NURSE SPECIALTY CERTIFICATION

R 338.10404 Certification qualifications; nurse anesthetist, nurse midwife, and nurse practitioner.

Rule 404. (1) A specialty certification for a nurse anesthetist shall be granted to a registered nurse who satisfies all of the following requirements:

- (a) Holds a current and valid license to practice nursing in Michigan.
- (b) Submits an application for certification in a specialty area of nursing, on a form provided by the department, and the required fee.
- (c) Meets the standards set forth by **either the American association of nurse anesthetists council on certification of nurse anesthetists or the council on recertification of nurse anesthetists.** The standards are adopted by reference in these rules and are set forth in the publications entitled "Certification Examination for Nurse Anesthetists, Candidate Handbook," ~~1997~~ **2003**, and "**Council on Recertification of Nurse Anesthetists** Criteria for Recertification," ~~1997~~ **2002**, ~~which may be obtained from the Council on Certification of Nurse Anesthetists, 222 Prospect Avenue, Park Ridge, Illinois 60068, at no cost. The recertification standards are also set forth in the publication entitled "Council on Recertification Criteria for Recertification," April 30, 1997. The~~ **These** publications may be obtained from the **American Association of Nurse Anesthetists Council on Recertification of Nurse Anesthetists**, 222 South Prospect Avenue, Suite 202, Park Ridge, Illinois IL 60068, ~~at no cost or from the association's website at http://www.bookstore@aana.com, at no cost. A copy of the~~ **The** standards ~~may be obtained~~ **is available for inspection and distribution at cost** from the Michigan Board of Nursing, Department of Consumer and Industry Services, **611 West Ottawa**, P.O. Box 30670, Lansing, Michigan MI 48909, ~~at no cost.~~

(2) A specialty certification for nurse midwife shall be granted to a registered nurse who satisfies all of the following requirements:

- (a) Holds a current and valid license to practice nursing in Michigan.
- (b) Submits an application for certification in a specialty area of nursing, on a form provided by the department, and the required fee.
- (c) Meets the standards set forth by the American college of nurse midwives certification council, **inc.** The standards are adopted by reference in these rules and are set forth in the publication entitled "Information for Candidates **Handbook**," ~~effective April 11, 1997~~ **effective October 2002**. The standards may be obtained **at no cost** from the American College of Nurse Midwives Certification Council, ~~8401~~ **8201** Corporate Drive, Suite ~~470~~ **550**, Landover, MD 20785, ~~at no cost, or at http://www.accmidwife.org. A copy of the standards is available for inspection or distribution at cost~~ **or** from the Michigan Board of Nursing, Department of Consumer and Industry Services, **611 West Ottawa**, P.O. Box 30670, Lansing, Michigan MI 48909, ~~at no cost.~~

(3) A specialty certification for nurse practitioner shall be granted to a registered nurse who satisfies all of the following requirements:

- (a) Holds a current and valid license to practice nursing in Michigan.
- ~~(b) Has a bachelor of science degree, or higher degree, in nursing.~~
- ~~(c)~~ **(b)** Submits an application for certification in a specialty area of nursing, on a form provided by the department, and the required fee.
- ~~(d) Has successfully completed a formal advanced program for nurse practitioners that consists of a combination of didactic and clinical training with a minimum of 120 hours or 30% of the program's hours, whichever is less, devoted to classroom theory and a minimum of 360 hours or 30% of the program's hours, whichever is less, devoted to supervised clinical practice in the specialty area. The program shall encompass a minimum of 1 academic year or 9 months.~~
- ~~(e) Meets the advanced practice certification standards of the~~

~~American nurses credentialing center, the national certification board of pediatric nurse practitioners and nurses, the national certification corporation for the obstetric and gynecologic and neonatal nursing specialties, the American academy of nurse practitioners, and the oncology nursing certification corporation. The standards are adopted by reference in these rules and are set forth in the publications entitled "American Nurses Credentialing Center Advanced Practice Certification Catalog 1997," which may be obtained from the American Nurses Credentialing Center, 600 Maryland Avenue, SW, Suite 100 West, Washington, DC 20024-2571, at no cost; the publication entitled "National Certification Board of Pediatric Nurse Practitioners and Nurses 1997," which may be obtained from the National Certification Board of Pediatric Nurse Practitioners and Associates, 800 South Frederick Avenue, Suite 104, Gaithersburg, MD 20877, at no cost; the publication entitled "NCC 1997 Registration Catalog," which may be obtained from the National Certification Corporation for the Obstetric, Gynecologic and Neonatal Specialties, Suite 1058, P. O. Box 11082, Chicago, Illinois 60611, at no cost; the publication entitled "American Academy of Nurse Practitioners Report on Certification Methodologies 1997," which may be obtained from the American Academy of Nurse Practitioners, Certification Program, Capitol Station, P.O. Box 12926, Austin, TX 78711, at no cost; and the publication entitled "Oncology Nursing Certification Corporation Test Bulletin 1997," which may be obtained from The Oncology Nursing Certification Corporation, 501 Holiday Drive, Pittsburgh, PA 15220-2749 at no cost. The standards may be obtained from the Michigan Board of Nursing, Department of Consumer and Industry Services, P.O. Box 30670, Lansing, Michigan 48909, at no cost.~~

(c) Meets the advanced practice certification standards of one 1 of the following certification organizations:

(i) The American nurses credentialing center, whose standards are adopted by reference and are set forth in the publication entitled "American Nurses Credentialing Center (ANCC) Certification, Advanced Practice and Informatics Nurse, Computer-Based Testing" 2002, which may be obtained at no cost from the American Nurses Credentialing Center, 600 Maryland Avenue SW, Suite 100 West, Washington, DC 20024-2571 or at <http://www.nursecredentialing.org>.

(ii) The national certification board of pediatric nurse practitioners and nurses, inc. whose standards are adopted by reference in these rules and are set forth in the publication entitled National Certification Board of Pediatric Nurse Practitioners and Nurses, Inc. National Qualifying Exam and Certification Maintenance Program, 2003" which may be obtained at no cost from the National Certification Board of Pediatric Nurse Practitioners and Nurses, Inc., 800 South Frederick Avenue, Suite 104, Gaithersburg, MD 20877 or at <http://www.pnpcert.org>.

(iii) The national certification corporation (ncc) for obstetric, gynecologic, and neonatal nursing specialties, whose standards are adopted by reference in these rules and are set forth in the publication entitled "NCC Registration Catalog" 2003 Edition edition, which may be obtained at no cost from the National Certification Corporation, P.O. Box 11082, Chicago, IL 60611 or at <http://www.nccnet.org>.

(iv) The American academy of nurse practitioners, whose standards are adopted by reference in these rules and are set forth in the publication entitled "American Academy of Nurse Practitioners Report on Certification Methodologies 1997," which may be obtained at no cost from the Academy of Nurse Practitioners, Certification Program, Capitol Station, P.O. Box 12926, Austin, TX 78711.

(v) Oncology nursing certification corporation, whose standards are adopted by reference in these rules and are set forth in the publication entitled "The 2003 Oncology Nursing Certification Corporation Certification Bulletin," which may be obtained at no cost from The Oncology

Nursing Certification Corporation, 125 Enterprise Drive, Pittsburgh, PA 15275-1214 or at <http://www.oncc.org>.

(4) The standards listed in subrules (i), (ii), (iii), (iv), and (v) also are available for inspection and distribution at cost from the Michigan Board of Nursing, Department of Consumer and Industry Services, 611 West Ottawa, P.O. Box 30670, Lansing, MI 48909.

R 338.10405 Certification renewal or reregistration; schedule; requirements; maintenance of evidence of compliance.

Rule 405. (1) Certification renewal shall correspond with the same schedule as the license renewal.

(2) An applicant for renewal who held a specialty certification for the 2-year period immediately preceding license renewal or an applicant for reregistration of a specialty certification pursuant to section 16201(3) or (4) of the code shall meet the following requirements, as applicable:

(a) For the nurse anesthetist, the applicant shall have obtained recertification, within the 2-year period immediately preceding the application, that meets the requirements of the council on recertification of nurse anesthetists set forth in the publication entitled "Council on Recertification of Nurse Anesthetists Criteria for Recertification," ~~1987~~ **2002**. The publication is adopted by reference in this rule and may be obtained at no cost from either the Council on Recertification of Nurse Anesthetists, ~~216 Higgins Road,~~ **222 South Prospect Avenue**, Park Ridge, Illinois IL 60068, or from the Michigan Board of Nursing, Department of Consumer and Industry Services, 611 West Ottawa, P.O. Box ~~30018~~ **30670**, Lansing, Michigan MI 48909.

(b) For the nurse midwife, the applicant shall meet ~~either one~~ **1** of the following requirements:

~~(i) Have completed, within the 2-year period immediately preceding the application, the continuing competency assessment requirements of the American college of nurse midwives set forth in the publication entitled "An Introduction to Continuing Competency Assessment Program, 1989-1990." The publication is adopted by reference in this rule and may be obtained at no cost from either the American College of Nurse-Midwives, 1522 K Street, N.W., Suite 1000, Washington, D.C. 20005, or from the Michigan Board of Nursing, P.O. Box 30018, Lansing, Michigan 48909.~~

(i) If initially certified prior to before 1996, have completed, within the 2-year period immediately preceding the application, the continuing competency assessment requirements of the American College of Nurse-Midwives set forth in the publication entitled "The Continuing Competency Assessment Program of The American College of Nurse-Midwives, 1999." The publication is adopted by reference in this rule and may be obtained at no cost from the American College of Nurse Midwives, 818 Connecticut Avenue, NW, Suite 900, Washington, DC 20006 or at <http://www.midwife.org>. The publication also is available for inspection and distribution at cost from the Michigan Board of Nursing, Department of Consumer and Industry Services, 611 West Ottawa, P. O. Box 30670, Lansing, MI 48909.

(ii) If initially certified after January 1, 1996, have obtained recertification or maintained certification, within the 2-year period immediately preceding the application, that meets the requirements of the American College of Nurse-Midwives Certification Council, Inc. (ACC) set forth in the publication entitled "Certificate Maintenance," December 2002. The publication is adopted by reference in this rule and may be obtained at no cost from the ACC, 8201 Corporate Drive, Suite 550, Landover, MD 20785 or at <http://www.accmidwife.org>. The publication also is available for inspection and distribution at cost from the Michigan Board of Nursing, Department of Consumer and Industry Services, 611 West Ottawa, P.O. Box 30670, Lansing, MI 48909.

~~(ii)~~ **(iii) Have completed 20 continuing education units in the nursing specialty field within the 2-year period immediately preceding the application. The board approves and adopts by reference in this rule**

the standards listed in ~~paragraph (i)~~ **subrules paragraphs (i) and (ii)** of this subdivision for approving continuing education offerings for the nurse midwife.

(c) For the nurse practitioner, the applicant shall meet ~~either of the following requirements:~~ **the following requirements appropriate to his or her current source of certification:**

(i) ~~Have Those holding national certification as a nurse practitioner shall have~~ obtained recertification or maintained certification, within the 2-year period immediately preceding the application, that meets the requirements of the **following organizations. The following publications are adopted by reference in this rule and may be obtained from the specific organization, as listed below.** These publications also are available for inspection and distribution at cost from the Michigan Board of Nursing, Department of Consumer and Industry Services, 611 West Ottawa, P.O. Box 30670, Lansing, MI 48909.

(A) The American nurses credentialing center as set forth in the publication entitled “Recertification Catalog”, 2003. This publication is adopted by reference in this subrule and may be obtained at no cost from the American Nurses Credentialing Center, 600 Maryland Avenue, SW, Suite 100 West, Washington, DC 20024-2571 or at <http://www.nursecredentialing.org>.

(B) The national certification board of pediatric nurse practitioners and nurses as set forth in the publication entitled “National Certification Board of Pediatric Nurse Practitioners and Nurses, Inc. National Qualifying Exam and Certification Maintenance Program, 2003”. This publication is adopted by reference in this subrule and may be obtained at no cost from the National Certification Board of Pediatric Nurse Practitioners and Nurses, Inc., 800 South Frederick Avenue, Suite 104, Gaithersburg, MD or at <http://www.pnpcert.org>.

(C) The national certification corporation (ncc) for obstetric, gynecologic, and neonatal nursing specialties set forth in the publication entitled “NCC Certification Maintenance Program” 2003 Edition. This publication is adopted by reference in this subrule and may be obtained at no cost from the National Certification Corporation, P.O. Box 11082, Chicago, IL 60611 or at <http://www.nccnet.org>. ~~American nurses association, the national certification board of pediatric nurse practitioners and nurses, or the nurses association of the American college of obstetricians and gynecologists (NAACOG) set forth in the publications entitled “American Nurses Association Recertification Requirements,” 1990, which may be obtained from the American Nurses Association, 2420 Pershing Road, Kansas City, Missouri 64108, at no cost; “National Certification Board of Pediatric Nurse Practitioners and Nurses 1990 Pediatric Nurse Practitioner Certification and Certification Maintenance Programs,” Which may be obtained from the National Certification Board of Pediatric Nurse Practitioners and Nurses, 414 Hungerford Drive, Suite 411, Rockville, Maryland 20850, at no cost; and “1990 NAACOG Certification Corporation Certification Maintenance Program,” which may be obtained from the Nurses Association of the American College of Obstetricians and Gynecologists, 645 North Michigan Avenue, Suite 1058, Chicago, Illinois 60611. Copies of these publications may also be obtained from the Michigan Board of Nursing, P.O. Box 30018, Lansing, Michigan 48909, at no cost. The publications are adopted by reference in this rule.~~

(ii) ~~Having Those applicants who obtained Michigan board certification as a nurse practitioner prior to before 1991, shall have~~ completed 40 continuing education units in the nursing specialty field within the 2-year period immediately preceding the application. The board approves and adopts by reference in this rule the standards listed in paragraph (i) of this subdivision for approving continuing education offerings for the nurse practitioner.

(3) An applicant or licensee shall maintain evidence of his or her compliance with the requirements of this rule for a period of 4 years after the date of application, during which time the board may require the licensee to submit such evidence for audit.

PART 6. CONTINUING EDUCATION

R 338.10601 License renewals; relicensure; requirements; applicability.

Rule 1. (1) This part applies to applications for renewal of a nursing license and applications for relicensure pursuant to 333.16201(3) that are filed 2 years or more after the effective date of these rules.

(2) An applicant for license renewal who has been licensed for the 2-year period immediately preceding the expiration date of the license or an applicant for relicensure shall accumulate not less than 25 continuing education contact hours that are approved by the board pursuant to these rules during the 2 years preceding an application for renewal or relicensure.

(a) An applicant for license renewal shall complete at least 1 continuing education contact hour in pain and pain symptom management in each renewal period. Continuing education contact hours in pain and pain symptom management may include, but are not limited to, courses in behavior management, psychology of pain, pharmacology, behavior modification, stress management, clinical applications, and drug interactions.

(3) Submission of an application for renewal or relicensure shall constitute the applicant's certification of compliance with the requirements of this rule. A nurse shall retain documentation of meeting the requirements of this rule for a period of 4 years from the date of applying for license renewal or relicensure. Failure to comply with this rule ~~shall be deemed to be~~ is a violation of section 16221(g) of the act.

R 338.10603 Continuing nursing education programs; methods of approval.

Rule 3. (1) The board approves and adopts by reference the standards of the American nurses credentialing center's commission on accreditation that are set forth in the publications entitled "**The 2001-2002 American Nurses Credentialing Center's Manual for Accreditation as a Provider of Continuing Nursing Education**" ~~in Nursing 1991~~" and "**The 2001-2002 American Nurses Credentialing Center's Manual for Accreditation as an Approver of Continuing Nursing Education**" ~~in Nursing 1991~~." ~~Copies of the~~ **A copy of these publications are available for inspection at the office of the Michigan Board of Nursing, 611 West Ottawa Street, Lansing, MI 48933, or may be purchased from the American Nurses Credentialing Center, Accreditation Unit, Program, 600 Maryland Avenue, SW, Suite 100W, West, Washington, DC 20024, or at <http://www.nursingworld.org/ancc> at a cost of \$50.00 per manual as of the time of adoption of these rules. of \$20.00 per manual.** **A copy of these publications also is available for inspection and distribution at cost from the Michigan Board of Nursing, Department of Consumer and Industry Services, 611 West Ottawa, P.O. Box 30670, Lansing, MI 48909.**

(2) The board approves and adopts by reference the standards and criteria of the national association for practical nurse education and service, **inc.** that are set forth in the publication entitled "**NAPNES Criteria for Approval of Continuing Education 1986**," **January 2003**. A copy of the publication may be obtained from the ~~Michigan Board of Nursing, P.O. Box 30018, Lansing, MI 48909, at no cost, or the~~ National Association for Practical Nurse Education and Service, **Inc.**, ~~1400 Spring Street, Suite 310, 8607 2nd Avenue, Suite 404A, Silver Spring, MD 20910, at a cost of \$3.00 as of the time of adoption of these rules of \$3.00 or at <http://www.napnes.org> at no cost.~~ **A copy of this publication is available for inspection and distribution at cost from the Michigan Board of Nursing, Department of Consumer and Industry Services, 611 West Ottawa, P.O. Box 30670, Lansing, MI 48909.**

(3) The board approves and adopts by reference the ~~standards, criteria, and guidelines adopted by the national league for nursing in January 1983 and the American college of nurse-midwives in March 1988 and set forth in the publication entitled "The Continuing Education Unit Criteria and Guidelines", Fifth Edition 2002, International Association for Continuing Education and Training.~~ A copy of the

~~standards, criteria, and guidelines may be obtained at no cost from the Michigan Board of Nursing, P.O. Box 30018, Lansing, MI 48909, the National League for Nursing, 350 Hudson Street, New York, NY 10014, or the American College of Nurse-Midwives, 818 Connecticut Avenue, NW, Suite 900, Washington, DC 20006. September 2001 and set forth in the document entitled “National League for Nursing (NLN) Continuing Education Provider Program.” A copy of the guidelines may be obtained at no cost from the National League for Nursing, 61 Broadway, 33rd Floor, New York, NY 10006 or at <http://www.nln.org>. A copy of this document is available for inspection and distribution at cost at the Michigan Board of Nursing, Department of Consumer and Industry Services, 611 West Ottawa, P.O. Box 30670, Lansing, MI 48909.~~

(4) The board approves and adopts by reference the standards, criteria, and guidelines adopted by the American College of Nurse-Midwives in March 1988 and set forth in the publication entitled “The Continuing Education Unit Criteria and Guidelines,” 2002, from the International Association for Continuing Education and Training. A copy may be obtained at no cost from the American College of Nurse-Midwives, 818 Connecticut Ave., NW, Suite 900, Washington, DC 20006 or at <http://www.midwife.org>. A copy of this document is available for inspection and distribution at cost at the Michigan Board of Nursing, Department of Consumer and Industry Services, 611 West Ottawa, P.O. Box 30670, Lansing, MI 48909.

(5) The board approves and adopts by reference the standards and criteria of the American association of nurse anesthetists as set forth in the “American Association of Nurse Anesthetists (AANA) Continuing Education Program 2002” which is available at no cost from the American Association of Nurse Anesthetists, 222 S. Prospect Avenue, Park Ridge, IL 60068 or at <http://www.aana.com>. A copy of this document is available for inspection and distribution at cost from the Michigan Board of Nursing, Department of Consumer and Industry Services, 611 West Ottawa, P.O. Box 30670, Lansing, MI 48909.

~~(4) (6) The board approves and adopts by reference the standards, requirements, and guidelines adopted in January 1989 by the committee on continuing medical education, of the American osteopathic association that are set forth in the publication entitled “Continuing Medical Education Guide for Physicians 1989 2001-2003.” A copy of the publication may be obtained at no cost from either the Michigan Board of Nursing, P.O. Box 30018, Lansing, MI 48909, or the Division of Continuing Medical Education, American Osteopathic Association, 142 East Ontario Street, Chicago, IL 60611 or at <http://www.aoa-net.org>. A copy of this document is available for inspection and distribution at cost at the Michigan Board of Nursing, Department of Consumer and Industry Services, 611 West Ottawa, P.O. Box 30670, Lansing, MI 48909.~~

~~(5) (7) The board approves and adopts by reference the standards for commercial support for continuing medical education of the accreditation council for continuing medical education’s “Essential Areas, Elements, and Decision-Making Criteria, July 1999” on October 29, 1982, in accrediting organizations in institutions offering providers of continuing medical education. programs. The standards may be obtained at no cost from either the Michigan Board of Nursing, P.O. Box 30018, Lansing, MI 48909, or the Accreditation Council for Continuing Medical Education, P.O. Box 245, Lake Bluff, IL 60044. 515 N. State Street, Suite 2150, Chicago, IL 60610-4377 or at <http://www.accme.org>. A copy of this document is available for inspection and distribution at cost from the Michigan Board of Nursing, Department of Consumer and Industry Services, 611 West Ottawa, P.O. Box 30670, Lansing, MI 48909.~~

~~(6) (8) The board approves and adopts by reference the standards for certification- credentialing in basic and advanced life support set forth by the American heart association in the standards and guidelines for cardiopulmonary resuscitation, and emergency cardiac care, and neonatal resuscitation for professional providers and published in the “Journal of the American Medical Association”~~

~~(JAMA), volume 268(16), October 28, 1992. “Guidelines 2000 for Cardiopulmonary Resuscitation and Emergency Cardiovascular Care (70-2041). A copy of the standards and guidelines for cardiopulmonary resuscitation, and emergency cardiac care, and neonatal resuscitation may be obtained from either the Michigan Board of Nursing, P.O. Box 30018, Lansing, MI 48909, at no cost, or may be obtained from the American Heart Association, 7320 7272 Greenville Avenue, Dallas, TX 75231 or at <http://www.americanheart.org>, at a cost of \$20.00 as of the time of adoption of these rules. of \$1.04.~~
A copy of this document is available for inspection and distribution at cost from the Michigan Board of Nursing, Department of Consumer and Industry Services, 611 West Ottawa, P.O. Box 30670, Lansing, MI 48909.

~~(7)~~ **(9)** The board may deny approval of programs offered by institutions and organizations if it appears to the board that the programs offered by those institutions or organizations fail to demonstrate compliance with the legislative intent to further educate licensees on subjects related to the practice of nursing.

NOTICE OF PUBLIC HEARING

ORR #2003-028

DEPARTMENT OF CONSUMER & INDUSTRY SERVICES

DIRECTOR'S OFFICE

BOARD OF NURSING - GENERAL RULES

The Department of Consumer & Industry Services will hold a public hearing on Tuesday, October 14, 2003 from 9:00 a.m. – 11:00 a.m. at the Department of Consumer & Industry Services, Ottawa Building, 611 West Ottawa, Conference Room 2, Upper Level, Lansing, Michigan.

The public hearing is being held to receive comments from interested persons on amendments to the Michigan Board of Nursing Administrative Rules. The proposed rules would do the following: specify licensing requirements for graduates of a Canadian registered nurse program as well as graduates of a nurse education program located outside of the United States who were initially licensed in another state; modify the current timeline for licensing applicants to complete a national nursing examination; revise provisions on nurse specialty certifications; and, update outdated language in the rules.

These rules are being promulgated under the authority of section 17201 of 1978 PA 368, MCL 333.17201 et seq. and Executive Reorganization Order Nos. 1996-1 and 1996-2, MCL 330.3101 and 445.2001.

Hearing comments may be presented in person, with written comments available at the time of presentation. Written comments will be accepted at the following address or E-mail address until October 26 at 5:00 p.m. Address communications to:

Department of Consumer & Industry Services
Bureau of Health Services – Nursing Hearing
P.O. Box 30670; Lansing, MI 48909-8170
Attention: Diane R. Lewis, Policy Administration Manager
E-mail address: drlewis@michigan.gov

A copy of the proposed rules may be obtained by contacting the Bureau at the address above. Electronic copies may also be obtained at <http://www.michigan.gov/orr>.

All hearings are conducted in compliance with the 1990 Americans With Disabilities Act. Hearings are held in buildings that accommodate mobility-impaired individuals and accessible parking is available. A disabled individual who requires accommodations for effective participation in a hearing should call Pamela Mills at (517) 335-1765 to make the necessary arrangements. To ensure availability of the accommodation, please call at least 1 week in advance.

Date: September 12, 2003

ORR # 2003-028CI

**ENROLLED SENATE AND HOUSE BILLS
SIGNED INTO LAW OR VETOED
(2003 SESSION)**

Mich. Const. Art. IV, §33 provides: “Every bill passed by the legislature shall be presented to the governor before it becomes law, and the governor shall have 14 days measured in hours and minutes from the time of presentation in which to consider it. If he approves, he shall within that time sign and file it with the secretary of state and it shall become law . . . If he does not approve, and the legislature has within that time finally adjourned the session at which the bill was passed, it shall not become law. If he disapproves . . . he shall return it within such 14-day period with his objections, to the house in which it originated.”

Mich. Const. Art. IV, §27, further provides: “No act shall take effect until the expiration of 90 days from the end of the session at which it was passed, but the legislature may give immediate effect to acts by a two-thirds vote of the members elected to and serving in each house.”

MCL 24.208 states in part:

“Sec. 8. (1) The office of regulatory reform shall publish the Michigan register at least once each month. The Michigan register shall contain all of the following:

* * *

(b) On a cumulative basis, the numbers and subject matter of the enrolled senate and house bills signed into law by the governor during the calendar year and the corresponding public act numbers.

(c) On a cumulative basis, the numbers and subject matter of the enrolled senate and house bills vetoed by the governor during the calendar year.”

**ENROLLED SENATE AND HOUSE BILLS
SIGNED INTO LAW OR VETOED
(2003 SESSION)**

Public Act No.	Enrolled House Bill	Enrolled Senate Bill	I.E.* Yes / No	Governor Approved Date	Filed Date	Effective Date	Subject
1		160	Yes	3-Apr	3-Apr	4/3/2003	Legislature ; auditor general; duties; clarify. (Sen. B. Patterson)
2	4198		Yes	21-Apr	22-Apr	4/22/2003	Recreation ; outdoor activities; assumption of risk when operating a snowmobile; revise. (Rep. C. LaSata)
3	4079		Yes	21-Apr	22-Apr	4/22/2003	Health facilities ; nursing homes; standardized information pamphlet and complaint form; require department of consumer and industry services to develop and distribute. (Rep. G. Woronchak)
4	4139		Yes	22-Apr	22-Apr	4/22/2003	Natural resources ; fishing; types of documentation acceptable for member of armed forces to establish eligibility for discounted hunting or fishing license; expand. (Rep. J. Rivet)
5	4010		Yes	24-Apr	24-Apr	4/24/2003	Economic development ; plant rehabilitation; tax abatements for plants that manufacture biodiesel fuel; provide for. (Rep. G. DeRossett)
6		105	Yes	9-May	9-May	5/9/2003	Natural resources ; forests; procedure for earmarking royalties from timber and mineral revenues; clarify. (Sen. A. Sanborn)
7	4078		Yes	20-May	20-May	5/20/2003	Courts ; district court; places where district court is required to sit; revise for districts of the first class. (Rep. S. Hummel)

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*** - See Act for applicable effective date.

+ - Line item veto

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Public Act No.	Enrolled House Bill	Enrolled Senate Bill	I.E.* Yes / No	Governor Approved Date	Filed Date	Effective Date	Subject
8	4332		Yes	20-May	20-May	5/20/2003	Retirement ; fire and police; death benefits for spouse of slain law enforcement officer; prohibit suspension of benefits for spouse who remarries. (Rep. S. Shackleton)
9	4086		Yes	20-May	20-May	9/1/2003	Traffic control ; violations; penalties for driving with expired registration plate tabs; revise. (Rep. M. Middaugh)
10	4115		Yes	29-May	29-May	5/29/2003	Highways ; name; renaming a certain portion of M-28; designate as "Veterans Memorial Highway." (Rep. S. Adamini)
11	4432		Yes	29-May	29-May	5/29/2003	Insurance ; property and casualty; fire and other peril losses due to terrorist events; exempt in commercial insurance policies. (Rep. L. Julian)
12		180	Yes	29-May	29-May	5/29/2003	State agencies (existing); generally; state agencies using 900 telephone numbers for the general public to access public information; prohibit. (Sen. T. Stamas)
13		397	Yes	29-May	29-May	5/29/2003	Elections ; primary; presidential primary in 2004; eliminate. (Sen. J. Allen)
14	4257		Yes	4-Jun	5-Jun	6/5/2003	Natural resources ; Great Lakes; beach maintenance activities and removal of vegetation on Great Lakes riparian lands; allow under certain circumstances. (Rep. B. Palmer)
15		118	Yes	10-Jun	10-Jun	9/1/2003	Crimes ; other; penalties for impersonating a police officer; increase. (Sen. A. Sanborn)

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Public Act No.	Enrolled House Bill	Enrolled Senate Bill	I.E.* Yes / No	Governor Approved Date	Filed Date	Effective Date	Subject
16		117	Yes	10-Jun	10-Jun	9/1/2003 #	Criminal procedure ; sentencing guidelines; sentencing guidelines for impersonating a police officer to commit or attempt to commit a felony; enact. (Sen. A. Cropsey)
17	4285		Yes	10-Jun	10-Jun	6/10/2003	Retirement ; public school employees; direct withholding from pension for long-term care benefits; allow. (Rep. S. Ehardt)
18	4038		Yes	10-Jun	10-Jun	6/10/2003	Education ; teachers; certification in cardiopulmonary resuscitation; require for new teacher certification. (Rep. S. Rocca)
19		150	Yes	17-Jun	18-Jun	6/18/2003	Natural resources ; Great Lakes; waterways and harbor improvement projects; allow grants to colleges and universities. (Sen. J. Allen)
20	4197		Yes	19-Jun	20-Jun	6/20/2003	Economic development ; local development financing; definition of "urban township"; revise. (Rep. C. Ward)
21	4556		Yes	24-Jun	24-Jun	6/24/2003	Income tax ; income; winnings from a casino or racetrack; include as taxable income. (Rep. S. Bieda)
22	4561		Yes	24-Jun	24-Jun	10/1/2003	Income tax ; deductions; withholding taxes on flow-through entity; establish. (Rep. W. O'Neil)
23	4567		Yes	24-Jun	24-Jun	6/24/2003	Taxation ; other; tax liability on businesses selling or quitting business; establish liabilities of members, managers, and partners. (Rep. P. Condino)
24	4569		Yes	24-Jun	24-Jun	6/24/2003	Use tax ; collections; liability of officers at dissolution; revise. (Rep. B. Farrah)
25	4568		Yes	24-Jun	24-Jun	6/24/2003	Sales tax ; collections; liability at dissolution; revise. (Rep. P. Zelenko)

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Public Act No.	Enrolled House Bill	Enrolled Senate Bill	I.E.* Yes / No	Governor Approved Date	Filed Date	Effective Date	Subject
26	4310		Yes	26-Jun	26-Jun	6/26/2003	Trade ; other; grain dealers act; prohibit disclosure of identity of individuals reporting violations under freedom of information act. (Rep. T. Meyer)
27	4219		No	26-Jun	26-Jun	**	Use tax ; exemptions; tangible personal property brought into this state 90 days after purchase; provide exemption. (Rep. G. Woronchak)
28	4008		Yes	26-Jun	26-Jun	6/26/2003 #	Income tax ; property tax credit; special assessments for fire and advanced life support; include in definition of property taxes. (Rep. B. Palmer)
29		23	Yes	26-Jun	26-Jun	6/26/2003 #	Income tax ; property tax credit; special assessments for police, fire, and advanced life support; include in definition of property taxes for credit calculation. (Sen. A. Sanborn)
30	4330		Yes	27-Jun	30-Jun	6/30/2003	Vehicles ; license plates; specialty plate for "ex-POWs"; allow 1 person in a household to obtain. (Rep. G. Woronchak)
31	4818		Yes	1-Jul	1-Jul	7/1/2003	Law enforcement; fingerprinting; clarification of law enforcement responsibilities for fingerprinting applicants; establish. (Rep. S. Hummel)
32		22	Yes	2-Jul	2-Jul	7/2/2003 #	Human services ; medical services; federal work incentives improvement act; enact conforming state provision to allow continued insurance coverage for the working disabled. (Sen. S. Johnson)

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Public Act No.	Enrolled House Bill	Enrolled Senate Bill	I.E.* Yes / No	Governor Approved Date	Filed Date	Effective Date	Subject
33	4270		Yes	2-Jul	2-Jul	7/2/2003 #	Human services ; medical services; medical services program eligibility; revise to allow continued insurance coverage for the working disabled. (Rep. S. Ehardt)
34	4333		Yes	2-Jul	3-Jul	10/1/2003	Traffic control ; parking; penalty for illegally parking in a designated space for handicapped use; increase. (Rep. F. Accavitti Jr.)
35	4356		Yes	2-Jul	3-Jul	7/3/2003	Occupations ; dental assistants; scope of practice for dental assistants; expand and clarify. (Rep. B. Vander Veen)
36	4083		Yes	2-Jul	3-Jul	7/3/2003	Natural resources ; other; development rights agreement or easements on farmland; subordinate state's interest under certain circumstances. (Rep. D. Sheltrown)
37		246	Yes	2-Jul	3-Jul	7/3/2003	Trade ; vehicles; definition of dealer in Michigan vehicle code; exclude vehicle lessors selling off lease vehicles. (Sen. J. Gilbert)
38		362	Yes	7-Jul	8-Jul	7/8/2003	Taxation ; other; tax expenditure report; rename. (Sen. N. Cassis)
39	4032		Yes	7/7	8-Jul	7/8/2003 +	Appropriations ; zero budget; supplemental appropriations; provide for fiscal year 2002-2003. (Rep. M. Shulman)
40		461	Yes	9-Jul	9-Jul	7/9/2003	Courts ; probate court; probate court districts; revise, and allow additional minimum annual salary. (Sen. A. Cropsey)
41	4281		Yes	14-Jul	14-Jul	*** #	Insurance ; health care corporations; nongroup prescription drug coverage; provide for offering of. (Rep. D. Farhat)

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Public Act No.	Enrolled House Bill	Enrolled Senate Bill	I.E.* Yes / No	Governor Approved Date	Filed Date	Effective Date	Subject
42	4519		Yes	11-Jul	14-Jul	9/1/2003	Communications ; computers; regulation of the transmission of electronic mail advertisements; provide for. (Rep. B. Huizenga)
43	4408		Yes	11-Jul	14-Jul	7/14/2003	Law enforcement ; local police; definition of peace officer for enforcement of snowmobile violations; provide for. (Rep. K. Bradstreet)
44		425	Yes	11-Jul	14-Jul	7/14/2003	Mobile homes ; title; enforcement of a security interest or lien on a mobile home affixed to real property through real property foreclosure; provide for. (Sen. M. Bishop)
45	4565		Yes	11-Jul	14-Jul	10/1/2003 #	Income tax ; other; flow-through entity, member of a flow-through entity, and nonresidential member; define. (Rep. B. Farrah)
46	4564		Yes	11-Jul	14-Jul	10/1/2003 #	Income tax ; other; requesting a certificate of dissolution or certificate of withdrawal from state; require all business entities to request. (Rep. J. Minore)
47	4563		Yes	11-Jul	14-Jul	10/1/2003 #	Income tax ; forms; statement of compensation paid and taxes withheld and certain other forms; require flow-through entities, casino licenses, and race meeting and race track licenses to provide. (Rep. B. Farrah)
48	4562		Yes	11-Jul	14-Jul	10/1/2003 #	Income tax ; collections; administration, collection, and enforcement provisions; include flow-through entities, casino licensees, and race meeting and race track licensees. (Rep. P. Zelenko)

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Public Act No.	Enrolled House Bill	Enrolled Senate Bill	I.E.* Yes / No	Governor Approved Date	Filed Date	Effective Date	Subject
49	4560		Yes	11-Jul	14-Jul	10/1/2003 #	Income tax ; other; composite tax return; allow on certain circumstances. (Rep. P. Zelenko)
50	4559		Yes	11-Jul	14-Jul	10/1/2003 #	Income tax ; other; definition of taxpayer; revise to include certain flow-through entities. (Rep. P. Condino)
51	4558		Yes	11-Jul	14-Jul	10/1/2003 #	Income tax ; other; definition of tax; revise to include nonresident member of a flow-through entity. (Rep. P. Condino)
52	4557		Yes	11-Jul	14-Jul	7/14/2003	Income tax ; income; definition of business income; revise. (Rep. B. Farrah)
53	4326		Yes	11-Jul	14-Jul	7/14/2003	Administrative procedure ; rules; methods for public subscription; change and expand. (Rep. C. Ward)
54		530	Yes	11-Jul	14-Jul	7/14/2003	Highways ; name; renaming a certain portion of M-53; designate as "POW/MIA Memorial Freeway". (Sen. A. Sanborn)
55	4081		Yes	11-Jul	14-Jul	7/14/2003	Housing ; abandoned; dangerous building provisions of housing code; revise definition of dangerous building and include certain costs in demolition. (Rep. G. Woronchak)
56	4145		Yes	11-Jul	14-Jul	7/14/2003	Juveniles ; criminal procedure; interstate compact for juveniles; establish. (Rep. C. LaSata)
57	4077		Yes	11-Jul	14-Jul	7/14/2003	Occupations ; other; requirement for electrologists to have 1 year of experience to supervise electrology establishment; eliminate. (Rep. S. Hummel)
58	4280		Yes	11-Jul	14-Jul	*** #	Insurance ; health care corporations; long-term care coverage; permit underwriting and age rating. (Rep. D. Robertson)

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Public Act No.	Enrolled House Bill	Enrolled Senate Bill	I.E.* Yes / No	Governor Approved Date	Filed Date	Effective Date	Subject
59		234	Yes	15-Jul	15-Jul	7/23/2003 #	Insurance; health care corporations; revisions to certain rates, underwriting provisions, reserves, benefits, and investments; provide for, and provide for general amendments. (Sen. B. Hammerstrom)
60		238	Yes	15-Jul	15-Jul	7/15/2003	Insurance; health care corporations; contracts with out-of-state health care facilities; provide for. (Sen. G. Jacobs)
61	4247		Yes	15-Jul	15-Jul	9/30/2003	Crimes; drunk driving; penalties and sanctions for operating a vehicle while intoxicated; establish at 0.08 grams and provide penalties and sanctions for operating a vehicle with any bodily content of schedule 1 controlled substances or cocaine. (Rep. W. Van Regenmorter)
62	4125		Yes	21-Jul	22-Jul	7/22/2003	# Health; anatomical gifts; list of individuals authorized to make an anatomical gift for a deceased individual; add patient advocates and clarify that an official state identification card and a motor vehicle operator's or chauffeur's license is a valid document of gift. (Rep. M. Murphy)
63	4126		Yes	21-Jul	22-Jul	7/22/2003 #	Health; anatomical gifts; patient advocate authorized to make an anatomical gift for another; provide for. (Rep. M. Murphy)
64	4224		Yes	21-Jul	22-Jul	7/22/2003 #	Traffic control; speed restrictions; speed limits; allow input by townships in setting certain limits. (Rep. R. Jamnick)

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Public Act No.	Enrolled House Bill	Enrolled Senate Bill	I.E.* Yes / No	Governor Approved Date	Filed Date	Effective Date	Subject
65	4133		Yes	21-Jul	22-Jul	7/22/2003 #	Traffic control ; speed restrictions; speed limits; allow input by townships in setting certain speed limits. (Rep. P. LaJoy)
66	4238		Yes	21-Jul	22-Jul	1/1/2004	Traffic control ; traffic regulation; amount of property damage to require an accident report; increase. (Rep. J. Rivet)
67	4479		Yes	21-Jul	22-Jul	7/22/2003	Health facilities ; patients; family member veto of organ donation; prohibit. (Rep. J. Gleason)
68	4524		Yes	21-Jul	22-Jul	7/22/2003 #	Taxation ; other; tax expenditure report; modify in the department of management and budget act. (Rep. C. Ward)
69	4606		Yes	21-Jul	22-Jul	7/22/2003	Campaign finance ; contributions and expenditures; use of money from corporation, labor organization, or other entity to purchase or construct state political party central office facility; allow. (Rep. J. Koetje)
70	4732		Yes	21-Jul	22-Jul	10/1/2003	Criminal procedure ; sentencing; minimum state cost in criminal cases; assess. (Rep. J. Howell)
71	4733		Yes	21-Jul	22-Jul	10/1/2003	Courts ; funding; payment of certain costs for juveniles; require. (Rep. P. Condino)
72	4735		Yes	21-Jul	22-Jul	10/1/2003	Courts ; funding; drug treatment court fund; establish and provide formula for distribution of funds. (Rep. D. Acciavatti)
73	4736		Yes	21-Jul	22-Jul	10/1/2003	Courts ; funding; certain assessments imposed under the Michigan vehicle code; replace with a justice system assessment. (Rep. A. Meisner)

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Public Act No.	Enrolled House Bill	Enrolled Senate Bill	I.E.* Yes / No	Governor Approved Date	Filed Date	Effective Date	Subject
74	4741		Yes	21-Jul	22-Jul	10/1/2003	Juveniles ; criminal procedure; priority of payment of fines, costs, and other payments; revise. (Rep. T. Hunter)
75	4743		Yes	21-Jul	22-Jul	10/1/2003	Courts ; funding; payment of minimum state cost as a condition of parole; require. (Rep. L. Wenke)
76	4745		Yes	21-Jul	22-Jul	10/1/2003	Courts ; funding; assessments for DNA testing; revise. (Rep. S. Adamini)
77	4746		Yes	21-Jul	22-Jul	10/1/2003	Courts ; funding; assessments for DNA testing for juveniles; revise. (Rep. K. Daniels)
78	4749		Yes	21-Jul	22-Jul	10/1/2003	Courts ; funding; judicial technology improvement fund; establish and provide formula for distribution of funds. (Rep. M. Shulman)
79	4750		Yes	21-Jul	22-Jul	10/1/2003	Courts ; funding; community dispute resolution act; revise grant provisions. (Rep. J. Voorhees)
80		230	Yes	21-Jul	23-Jul	7/23/2003	Housing ; abandoned; procedure for a building to be removed if structure remains vacant or boarded for a period of 24 consecutive months; provide for. (Sen. V. Bernero)
81		359	Yes	21-Jul	23-Jul	7/23/2003	Businesses ; limited liability; filing fees for limited liability companies; revise. (Sen. G. Jacobs)
82		360	Yes	21-Jul	23-Jul	7/23/2003	Agriculture ; pesticides; pesticide applicator fee; increase for certain time interval. (Sen. J. Barcia)
83		361	Yes	21-Jul	23-Jul	7/23/2003	Occupations ; licensing fees; pet shop and animal control licensing fees; increase for certain time interval. (Sen. J. Barcia)

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84		370	Yes	21-Jul	23-Jul	7/23/2003	Employment security ; funds; employment security contingency fund; transfer certain funds to general fund. (Sen. B. Leland)
85		386	Yes	21-Jul	23-Jul	7/23/2003	Occupations ; licensing fees; livestock dealer fees; increase for certain time interval. (Sen. V. Bernero)
86		390	Yes	21-Jul	23-Jul	7/23/2003	Occupations ; licensing fees; horse riding stable fees; increase for certain time interval. (Sen. L. Brater)
87		431	Yes	21-Jul	23-Jul	7/23/2003	Occupations ; licensing fees; certain occupational licensing fees; increase for certain time interval. (Sen. L. Brater)
88		460	Yes	21-Jul	23-Jul	1/23/2004 #	Insurance ; health; small employer group health coverage and provision regarding health maintenance organization coverage for “off-label” drug use; provide for. (Sen. B. Patterson)
89		37	Yes	24-Jul	24-Jul	7/24/2003 #	Cemeteries and funerals ; other; description of land used for cemetery lot and definition of endowment care; clarify. (Sen. G. Jacobs)
90		38	Yes	24-Jul	24-Jul	7/24/2003 #	Cemeteries and funerals ; other; description of land used for cemetery lot for rural cemetery corporations and definition of perpetual care; clarify. (Sen. G. Jacobs)
91		39	Yes	24-Jul	24-Jul	7/24/2003 #	Cemeteries and funerals ; other; description of land used for cemetery lot for cemetery corporations and definition of endowment care; clarify. (Sen. G. Jacobs)

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92		121	Yes	24-Jul	24-Jul	7/24/2003	Taxation ; other; publication of letter rulings; require. (Sen. N. Cassis)
93		163	Yes	24-Jul	24-Jul	7/24/2003	Economic development ; renaissance zones; cap on agricultural renaissance zones; increase. (Sen. G. VanWoerkom)
94		239	Yes	24-Jul	24-Jul	7/24/2003	Counties ; funds; grants to nonprofit corporations for economic development initiatives; allow in certain cases. (Sen. T. George)
95		434	Yes	24-Jul	24-Jul	10/1/2003	Courts ; funding; justice system assessment; provide for. (Sen. M. Switalski)
96		435	Yes	24-Jul	24-Jul	10/1/2003	Civil procedure ; costs and fees; costs imposed in district court; revise. (Sen. H. Clarke)
97		439	Yes	24-Jul	24-Jul	10/1/2003	Courts ; funding; justice system fund; establish and provide formula for distribution of funds. (Sen. A. Cropsey)
98		442	Yes	24-Jul	24-Jul	10/1/2003	Crime victims ; other; order of priority of payments in crime victim's rights act; revise. (Sen. V. Garcia)
99		444	Yes	24-Jul	24-Jul	10/1/2003	Courts ; funding; forensic laboratory assessments; revise. (Sen. C. Brown)
100		447	Yes	24-Jul	24-Jul	10/1/2003	Courts ; funding; assessments for DNA testing; revise. (Sen. C. Brown)
101		448	Yes	24-Jul	24-Jul	10/1/2003	Courts ; funding; payment of minimum state cost as a condition of probation; require. (Sen. V. Garcia)
102		449	Yes	24-Jul	24-Jul	10/1/2003	Courts ; funding; allocation of payments made by defendant; revise. (Sen. A. Cropsey)

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103		462	Yes	24-Jul	24-Jul	10/1/2003	Vehicles ; motorcycles; secretary of state to operate motorcycle safety education program; require. (Sen. V. Garcia)
104		480	Yes	24-Jul	24-Jul	7/24/2003	Occupations ; licensing fees; nursery stock license fee; increase for limited time interval and create revolving fund. (Sen. L. Brater)
105		520	Yes	24-Jul	24-Jul	7/24/2003	Property tax ; homestead exemption; audit process for homestead exemption irregularities; provide for. (Sen. C. Brown)
106		570	Yes	24-Jul	24-Jul	7/24/2003	Businesses ; business corporations; certain filing fees; revise. (Sen. R. Emerson)
107		571	Yes	24-Jul	24-Jul	7/24/2003	Businesses ; nonprofit corporations; certain filing fees; revise. (Sen. B. Leland)
108		572	Yes	24-Jul	24-Jul	7/24/2003 #	Education ; financing; calculations for early repayment of loans from school bond loan fund; revise. (Sen. B. Leland)
109		573	Yes	24-Jul	24-Jul	7/24/2003 #	State ; bonds; purchase of qualified bonds issued by school districts; allow. (Sen. B. Leland)
110	4866		Yes	24-Jul	24-Jul	7/24/2003 #	Education ; financing; certain appropriations from repayment of principal and interest on certain state loans to school districts for the 2003-2004 fiscal year; provide for allocation to state school aid fund. (Rep. M. Nofs)
111		574	Yes	24-Jul	24-Jul	10/1/2003	Natural resources ; other; off-road vehicle safety education program transfer to department of natural resources. (Sen. B. Leland)
112		578	Yes	24-Jul	24-Jul	7/24/2003	Holidays ; “American Heroes Week”; establish. (Sen. B. Patterson)

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113		589	Yes	24-Jul	24-Jul	7/24/2003	Health facilities ; nursing homes; quality assurance assessment fee; revise to comply with federal law and revise regulations. (Sen. R. Emerson)
114		586	Yes	24-Jul	24-Jul	7/24/2003	Taxation ; administration; access to tax information from the department of treasury; allow for certain individuals. (Sen. C. Brown)
115	4582		Yes	29-Jul	29-Jul	7/29/2003	Financial institutions ; credit unions; filing requirements for suspicious activities; clarify. (Rep. L. Wenke)
116	4657		Yes	29-Jul	29-Jul	***	Transportation ; motor fuel tax; labeling requirement on pumps dispensing ethanol blended gasoline; eliminate. (Rep. N. Nitz)
117	4580		Yes	29-Jul	29-Jul	7/29/2003	Financial institutions ; banks; filing requirements for suspicious activities; clarify. (Rep. D. Palsrok)
118	4581		Yes	29-Jul	29-Jul	7/29/2003	Financial institutions ; savings banks; filing requirements for suspicious activities; clarify. (Rep. W. O'Neil)
119	4522		Yes	29-Jul	29-Jul	7/29/2003	Elections ; candidates; filing of postelection sworn statement; require to file with same official with whom candidate committee campaign statements were filed. (Rep. S. Rocca)
120	4579		Yes	29-Jul	29-Jul	7/29/2003	Financial institutions ; savings and loan associations; filing requirements for suspicious activities; clarify. (Rep. A. Lipsey)
121	4516		Yes	29-Jul	29-Jul	10/1/2003 #	Corrections ; employees; correctional officers' training council's jurisdiction; revise. (Rep. F. Amos)

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*** - See Act for applicable effective date.

+ - Line item veto

- Tie bar

Public Act No.	Enrolled House Bill	Enrolled Senate Bill	I.E.* Yes / No	Governor Approved Date	Filed Date	Effective Date	Subject
122	4300		Yes	29-Jul	29-Jul	7/29/2003	Counties ; funds; contributions of county general fund money to establish a revolving loan fund; allow under certain circumstances. (Rep. L. Wenke)
123	4502		Yes	29-Jul	29-Jul	7/29/2003	Labor ; job development; term limits for community action agency board members; revise and make general amendments. (Rep. S. Caul)
124	4517		Yes	31-Jul	1-Aug	10/1/2003 #	Corrections ; jails; booking fee for county jails; provide for, and direct revenue to training of local corrections officers. (Rep. L. Wojno)
125	4515		Yes	31-Jul	1-Aug	10/1/2003 #	Corrections ; employees; training and certification of local corrections officers; require. (Rep. R. Richardville)
126		129	Yes	31-Jul	1-Aug	10/1/2003 #	Property tax ; homestead exemption; reference to homestead exemption in revised school code; revise to principal residence exemption. (Sen. N. Cassis)
127		130	Yes	31-Jul	1-Aug	1/1/2004 #	Property tax ; homestead exemption; reference to homestead exemption in neighborhood enterprise zone act; revise to principal residence exemption. (Sen. J. Allen)
128		131	Yes	31-Jul	1-Aug	1/1/2004 #	Property tax ; homestead exemption; reference to homestead exemption in the state real estate transfer tax act; revise to principal residence exemption. (Sen. P. Birkholz)

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+ - Line item veto

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Public Act No.	Enrolled House Bill	Enrolled Senate Bill	I.E.* Yes / No	Governor Approved Date	Filed Date	Effective Date	Subject
129		132	Yes	31-Jul	1-Aug	1/1/2004 #	Property tax ; homestead exemption; reference to homestead exemption in the development of blighting property act; revise to principal residence exemption. (Sen. V. Garcia)
130		135	Yes	31-Jul	1-Aug	1/1/2004 #	Property tax ; homestead exemption; reference to homestead exemption in the seller disclosure act; revise to principal residence exemption. (Sen. B. Hardiman)
131	4192		Yes	31-Jul	1-Aug	1/1/2004 #	Property tax ; homestead exemption; reference to homestead exemption in the tax tribunal act; revise to principal residence exemption. (Rep. J. Stakoe)
132	4218		Yes	31-Jul	1-Aug	8/1/2003	Education ; school districts; student use of cellular phones and pagers in schools; provide authority to local school boards and public school academies to regulate or allow beginning in 2004-2005. (Rep. M. Middaugh)
133	4704		Yes	31-Jul	1-Aug	8/1/2003	Aeronautics ; aircraft; flight schools; limit and provide certain security programs for an aircraft on the ground. (Rep. S. Ehardt)
134	4248		Yes	31-Jul	1-Aug	9/30/2003 #	Criminal procedure ; sentencing guidelines; penalties and sanctions at 0.08 grams for operating a vehicle while intoxicated, for operating a vehicle with any amount of certain controlled substances, and for violation of unsolicited commercial e-mail protection act in furtherance of a crime; establish. (Rep. W. Van Regenmorter)

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Public Act No.	Enrolled House Bill	Enrolled Senate Bill	I.E.* Yes / No	Governor Approved Date	Filed Date	Effective Date	Subject
135	4146		Yes	31-Jul	1-Aug	8/1/2003	Local government ; authorities; recreational authorities; revise participation of certain municipalities. (Rep. C. Ward)
136	4806		Yes	31-Jul	1-Aug	8/1/2003	Economic development ; downtown development authorities; definition of other protected obligations; revise. (Rep. P. LaJoy)
137	4708		Yes	31-Jul	1-Aug	8/1/2003	Counties ; other; installment contracts; allow for county road commissions. (Rep. D. Robertson)
138	4748		Yes	31-Jul	1-Aug	10/1/2003	Courts ; funding; civil filing fee fund; create, and increase certain court fees. (Rep. A. Lipsey)
139		399	Yes	31-Jul	1-Aug	8/1/2003	Sales tax ; distribution; distribution of money to the comprehensive transportation fund; revise. (Sen. R. Emerson)
140		133	Yes	31-Jul	1-Aug	1/1/2004 #	Property tax ; homestead exemption; definition of homestead exemption to principal residence exemption; provide for. (Sen. M. McManus)
141		134	Yes	31-Jul	1-Aug	1/1/2004 #	Property tax ; homestead exemption; reference to homestead exemption in school aid act; revise to principal residence exemption. (Sen. L. Toy)
142	4154		Yes	31-Jul	5-Aug	8/5/2003	Transportation ; carriers; trucks hauling logs or tubular products; revise tie-down requirements under certain circumstances. (Rep. T. Casperson)
143		463	Yes	5-Aug	5-Aug	10/1/2003	State ; identification cards; fee for state identification cards; increase and revise renewal requirements. (Sen. V. Garcia)

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*** - See Act for applicable effective date.

+ - Line item veto

- Tie bar

Public Act No.	Enrolled House Bill	Enrolled Senate Bill	I.E.* Yes / No	Governor Approved Date	Filed Date	Effective Date	Subject
144	4396		Yes	5-Aug	6-Aug	8/6/03 +	Appropriations ; other; higher education; provide for fiscal years 2002-2003 and 2003-2004. (Rep. M. Shulman)
145	4391		Yes	5-Aug	6-Aug	8/6/2003	Appropriations ; education; department of education; provide for fiscal year 2003-2004. (Rep. M. Shulman)
146	4388		Yes	5-Aug	6-Aug	8/6/2003	Appropriations ; community colleges; community and junior colleges; provide for fiscal year 2003-2004 and supplement for fiscal year 2002-2003. (Rep. M. Shulman)
147	4400		Yes	7-Aug	8-Aug	8/8/03+	Appropriations ; natural resources; department of natural resources; provide for fiscal years 2002-2003 and 2003-2004. (Rep. M. Shulman)
148		289	Yes	7-Aug	8-Aug	8/8/2003	Natural resources ; other; groundwater resources; collect information and establish a statewide groundwater inventory and map. (Sen. P. Birkholz)
149		277	Yes	7-Aug	8-Aug	8/8/2003	Appropriations ; state police; department of state police; provide for fiscal year 2003-2004. (Sen. S. Johnson)
150		391	Yes	7-Aug	8-Aug	8/8/2003	Trade ; securities; uniform securities act; revise filing fees. (Sen. M. Scott)
151		539	Yes	7-Aug	8-Aug	10/1/03#	Transportation ; funds; interdepartmental transfers of funds; provide for fund changes. (Sen. J. Gilbert)
152		554	Yes	7-Aug	8-Aug	10/1/03#	Vehicles ; registration; fees and taxes for certain vehicle registrations, titles, renewals, and driver license renewals; amend. (Sen. S. Johnson)

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*** - See Act for applicable effective date.

+ - Line item veto

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Public Act No.	Enrolled House Bill	Enrolled Senate Bill	I.E.* Yes / No	Governor Approved Date	Filed Date	Effective Date	Subject
153		561	Yes	7-Aug	8-Aug	10/1/2003	Environmental protection; landfills; solid waste permit requirements and fees; modify. (Sen. B. Leland)
154	4390		Yes	7-Aug	8-Aug	8/8/2003	Appropriations; corrections; department of corrections; provide for fiscal year 2003-2004. (Rep. M. Shulman)
155		281	Yes	7-Aug	8-Aug	8/8/2003	Appropriations; other; judiciary; provide for fiscal year 2003-2004. (Sen. S. Johnson)
156		266	Yes	7-Aug	8-Aug	8/8/2003	Appropriations; military affairs; department of military affairs; provide for fiscal year 2003-2004. (Sen. S. Johnson)
157		288	Yes	7-Aug	8-Aug	8/8/03+	Appropriations; zero budget; department of agriculture; provide for fiscal year 2003-2004. (Sen. S. Johnson)
158	4401		Yes	10-Aug	11-Aug	*** +	Appropriations; school aid; state school aid appropriations; provide for fiscal year 2003-2004. (Rep. M. Shulman)
159	4392		Yes	10-Aug	11-Aug	8/11/2003 +	Appropriations; community health; appropriations for department of community health; provide for fiscal year 2003-2004. (Rep. M. Shulman)
160		279	Yes	11-Aug	12-Aug	8/12/2003	Appropriations; other; history, arts, and libraries; provide for fiscal year 2003-2004. (Sen. S. Johnson)
161		270	Yes	11-Aug	12-Aug	8/12/2003	Appropriations; other; general government; provide for fiscal year 2003-2004. (Sen. S. Johnson)
162		265	Yes	11-Aug	12-Aug	8/12/2003 +	Appropriations; other; transportation; provide for fiscal year 2003-2004. (Sen. S. Johnson)

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Public Act No.	Enrolled House Bill	Enrolled Senate Bill	I.E.* Yes / No	Governor Approved Date	Filed Date	Effective Date	Subject
163		567	Yes	11-Aug	12-Aug	8/12/2003	Water ; other; sunset provisions for certain permits and fees; extend. (Sen. R. Emerson)
164		596	Yes	11-Aug	12-Aug	8/12/2003	Environmental protection ; water pollution; aquatic nuisance fees; revise. (Sen. R. Emerson)
165		509	Yes	11-Aug	13-Aug	10/1/2003	Traffic control ; other; driver responsibility assessments; establish. (Sen. J. Gilbert)
166		314	Yes	11-Aug	13-Aug	8/13/2003	Property ; conveyances; prior conveyance of state property; allow deed to be amended and convey certain property and property interests in Ingham county and Grand Traverse county. (Sen. M. Prusi)
167		286	Yes	11-Aug	13-Aug	8/13/2003	Appropriations ; consumer and industry services; budget for fiscal year 2003-2004; provide for. (Sen. S. Johnson)
168		575	Yes	11-Aug	13-Aug	8/13/2003	Taxation ; revenue sharing; distribution to counties, cities, villages, and townships; revise for certain state fiscal years. (Sen. R. Emerson)
169		285	Yes	11-Aug	13-Aug	8/13/2003	Appropriations ; other; department of career development and Michigan strategic fund; provide for fiscal year 2003-2004. (Sen. S. Johnson)
170		537	Yes	11-Aug	13-Aug	1/1/2004	Recreation ; state parks; park permit fees; provide for. (Sen. L. Brater)
171	4393		Yes	12-Aug	13-Aug	8/13/2003+	Appropriations ; environmental quality; department of environmental quality; provide for fiscal year 2003-2004. (Rep. M. Shulman)

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Public Act No.	Enrolled House Bill	Enrolled Senate Bill	I.E.* Yes / No	Governor Approved Date	Filed Date	Effective Date	Subject
172		283	Yes	12-Aug	13-Aug	8/13/2003+	Appropriations ; family independence agency; family independence agency; provide for fiscal year 2003-2004. (Sen. S. Johnson)
173		540	Yes	12-Aug	14-Aug	8/14/2003+	Appropriations ; supplemental; supplemental appropriations; provide for. (Sen. S. Johnson)
174	4945		Yes	14-Aug	14-Aug	8/14/2003	Employment security ; benefits; trigger for extended benefits; modify. (Rep. B. Farrah)
175	4453		Yes	22-Aug	22-Aug	8/22/2003	Retirement ; public school employees; number of days required for year of retirement credit for teachers; eliminate and replace with hour requirement. (Rep. J. Hoogendyk)
176	4630		Yes	25-Aug	25-Aug	8/25/2003	Transportation ; other; waiver of toll for certain emergency vehicles; provide for. (Rep. R. Brown)
177	4087		Yes	28-Aug	29-Aug	8/29/2003	Natural resources ; other; groundwater dispute resolution; provide for. (Rep. J. Moolenaar)
Veto	4456					7/11/2003	Counties ; boards and commissions; membership of the county parks and recreation commission; revise. (Rep. S. Rocca)
Veto	4511					7/11/2003	Administrative procedure ; joint committee; procedure for objecting to rules; modify. (Rep. J. Pappageorge)
Veto	4627					8/25/2003	Transportation ; other; forgiveness of certain money owed to the state of Michigan by the Mackinac bridge authority; provide for. (Rep. T. Casperson)

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Public Act No.	Enrolled House Bill	Enrolled Senate Bill	I.E.* Yes / No	Governor Approved Date	Filed Date	Effective Date	Subject
Veto	4631					8/25/2003	Transportation ; funds; earmarking certain appropriated funding to the Mackinac bridge authority; provide for. (Rep. S. Shackleton)
Veto		195				3/21/2003	Local government ; public services; certain city managed water and sewer systems; provide for oversight authority. (Sen. L. Toy)
Veto		293				7/11/2003	Law enforcement ; other; public safety commissions; allow use of state radio towers by local units of government. (Sen. M. Bishop)
Veto		364				6/30/2003	School aid ; penalties; requirement of 180 days of pupil instruction and penalty for holding less than that number; eliminate and replace with minimum hours of instruction, and require certain procedures to change to 4-day school week. (Sen. V. Garcia)
Veto		464				8/25/2003	Transportation ; funds; Mackinac bridge authority; amend to provide toll rate cap. (Sen. J. Allen)
Veto		465				8/25/2003	Transportation ; fund; earmarking certain appropriated funding to the Mackinac bridge authority; provide for. (Sen. T. Stamas)

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MICHIGAN ADMINISTRATIVE CODE TABLE
(2003 SESSION)

MCL 24.208 states in part:

“Sec. 8. (1) The office of regulatory reform shall publish the Michigan register at least once each month. The Michigan register shall contain all of the following:

* * *

(i) Other official information considered necessary or appropriate by the office of regulatory reform.”

The following table cites administrative rules promulgated during the year 2000, and indicates the effect of these rules on the Michigan Administrative Code (1979 ed.).

MICHIGAN ADMINISTRATIVE CODE TABLE
(2003 RULE FILINGS)

R Number	Action	2003 MR Issue	R Number	Action	2003 MR Issue	R Number	Action	2003 MR Issue
29.2801	*	1	29.4215	R	15	29.4312	R	15
29.2802	*	1	29.4216	R	15	29.4313	R	15
29.2802a	A	1	29.4217	R	15	29.4314	R	15
29.2803	*	1	29.4218	R	15	29.4315	R	15
29.2804	*	1	29.4219	R	15	29.4316	R	15
29.2805	*	1	29.4220	R	15	29.4317	R	15
29.2806	*	1	29.4221	R	15	29.4318	R	15
29.2807	*	1	29.4222	R	15	29.4319	R	15
29.2807a	A	1	29.4223	R	15	29.4401	R	15
29.2808	*	1	29.4224	R	15	29.4402	R	15
29.2809	*	1	29.4225	R	15	29.4403	R	15
29.2810	*	1	29.4226	R	15	29.4404	R	15
29.2811	*	1	29.4227	R	15	29.4405	R	15
29.2811a	A	1	29.4228	R	15	29.4406	R	15
29.2812	*	1	29.4229	R	15	29.4501	R	15
29.2813	*	1	29.4230	R	15	29.4502	R	15
29.2814	*	1	29.4231	R	15	29.4503	R	15
29.4101	R	15	29.4232	R	15	29.4504	R	15
29.4102	R	15	29.4233	R	15	29.5101	A	15
29.4103	R	15	29.4234	R	15	29.5102	A	15
29.4104	R	15	29.4235	R	15	29.5103	A	15
29.4105	R	15	29.4236	R	15	29.5104	A	15
29.4106	R	15	29.4237	R	15	29.5105	A	15
29.4201	R	15	29.4238	R	15	29.5201	A	15
29.4202	R	15	29.4239	R	15	29.5202	A	15
29.4203	R	15	29.4240	R	15	29.5203	A	15
29.4204	R	15	29.4301	R	15	29.5204	A	15
29.4205	R	15	29.4302	R	15	29.5205	A	15
29.4206	R	15	29.4303	R	15	29.5206	A	15
29.4207	R	15	29.4304	R	15	29.5207	A	15
29.4208	R	15	29.4305	R	15	29.5208	A	15
29.4209	R	15	29.4306	R	15	29.5209	A	15
29.4210	R	15	29.4307	R	15	29.5210	A	15
29.4211	R	15	29.4308	R	15	29.5211	A	15
29.4212	R	15	29.4309	R	15	29.5212	A	15
29.4213	R	15	29.4310	R	15	29.5213	A	15
29.4214	R	15	29.4311	R	15	29.5214	A	15

(* Amendment to Rule, A Added Rule, N New Rule, R Rescinded Rule)

R Number	Action	2003 MR Issue	R Number	Action	2003 MR Issue	R Number	Action	2003 MR Issue
29.5215	A	15	29.5253	A	15	29.5336	A	15
29.5216	A	15	29.5254	A	15	29.5337	A	15
29.5217	A	15	29.5255	A	15	29.5338	A	15
29.5218	A	15	29.5301	A	15	29.5339	A	15
29.5219	A	15	29.5302	A	15	29.5340	A	15
29.5220	A	15	29.5303	A	15	29.5401	A	15
29.5221	A	15	29.5304	A	15	29.5402	A	15
29.5222	A	15	29.5305	A	15	29.5403	A	15
29.5223	A	15	29.5306	A	15	29.5404	A	15
29.5224	A	15	29.5307	A	15	29.5405	A	15
29.5225	A	15	29.5308	A	15	29.5406	A	15
29.5226	A	15	29.5309	A	15	29.5407	A	15
29.5227	A	15	29.5310	A	15	29.5408	A	15
29.5228	A	15	29.5311	A	15	29.5409	A	15
29.5229	A	15	29.5312	A	15	29.5410	A	15
29.5230	A	15	29.5313	A	15	29.5411	A	15
29.5231	A	15	29.5314	A	15	29.5412	A	15
29.5232	A	15	29.5315	A	15	29.5413	A	15
29.5233	A	15	29.5316	A	15	29.5414	A	15
29.5234	A	15	29.5317	A	15	29.5415	A	15
29.5235	A	15	29.5318	A	15	29.5416	A	15
29.5236	A	15	29.5319	A	15	29.5417	A	15
29.5237	A	15	29.5320	A	15	29.5418	A	15
29.5238	A	15	29.5321	A	15	29.5419	A	15
29.5239	A	15	29.5322	A	15	29.5501	A	15
29.5240	A	15	29.5323	A	15	29.5502	A	15
29.5241	A	15	29.5324	A	15	29.5503	A	15
29.5242	A	15	29.5325	A	15	29.5504	A	15
29.5243	A	15	29.5326	A	15	29.5505	A	15
29.5244	A	15	29.5327	A	15	29.5506	A	15
29.5245	A	15	29.5328	A	15	29.5507	A	15
29.5246	A	15	29.5329	A	15	29.5508	A	15
29.5247	A	15	29.5330	A	15	29.5509	A	15
29.5248	A	15	29.5331	A	15	29.5510	A	15
29.5249	A	15	29.5332	A	15	29.5511	A	15
29.5250	A	15	29.5333	A	15	29.5512	A	15
29.5251	A	15	29.5334	A	15	29.5513	A	15
29.5252	A	15	29.5335	A	15	29.5514	A	15

(* Amendment to Rule, A Added Rule, N New Rule, R Rescinded Rule)

R Number	Action	2003 MR Issue	R Number	Action	2003 MR Issue	R Number	Action	2003 MR Issue
29.5515	A	15	125.1402	*	14	125.1902a	*	14
29.5516	A	15	125.1403	*	14	125.1904a	*	14
125.1101	*	14	125.1404	*	14	125.1905	*	14
125.1106	A	14	125.1405	*	14	125.1908	*	14
125.1120	*	14	125.1407	*	14	125.1912	*	14
125.1125	*	14	125.1408	*	14	125.1913	R	14
125.1130	*	14	125.1409	*	14	125.1918	*	14
125.1185	*	14	125.1410	*	14	125.1920	*	14
125.1192	*	14	125.1411	*	14	125.1922	*	14
125.1192a	A	14	125.1413	*	14	125.1925	*	14
125.1201	R	14	125.1415	*	14	125.1926	*	14
125.1202a	R	14	125.1416	R	14	125.1928	*	14
125.1202b	*	14	125.1417	*	14	125.1929	*	14
125.1202c	A	14	125.1419	*	14	125.1934	*	14
125.1203	R	14	125.1501a	A	14	125.1935	*	14
125.1204	*	14	125.1503	*	14	125.1936	*	14
125.1209	*	14	125.1503a	A	14	125.1937	*	14
125.1210	R	14	125.1504	*	14	125.1940	*	14
125.1211	R	14	125.1505	*	14	125.1940a	*	14
125.1211a	*	14	125.1507	*	14	125.1941	*	14
125.1212	*	14	125.1508	*	14	125.1944	*	14
125.1213a	*	14	125.1601	*	14	125.1947	*	14
125.1214c	*	14	125.1602	*	14	125.1947a	*	14
125.1214d	*	14	125.1602a	*	14	125.1948	*	14
125.1214e	*	14	125.1603	*	14	125.1950	*	14
125.1214f	*	14	125.1604a	*	14	125.2001	*	14
125.1214g	*	14	125.1604b	R	14	125.2001a	A	14
125.1214h	*	14	125.1605	*	14	125.2003	*	14
125.1214i	*	14	125.1606	R	14	125.2005	*	14
125.1214j	R	14	125.1607	*	14	125.2005a	*	14
125.1214k	*	14	125.1608	R	14	125.2006	*	14
125.1214l	*	14	125.1701	*	14	125.2006a	*	14
125.1214m	R	14	125.1702	*	14	125.2006b	*	14
125.1214n	*	14	125.1702a	*	14	125.2007	*	14
125.1302	*	14	125.1704	*	14	125.2009	*	14
125.1310	R	14	125.1705	*	14	259.241	*	4
125.1320	R	14	125.1708	*	14	259.243	*	4
125.1401	*	14	125.1901	*	14	259.244	*	4

(* Amendment to Rule, A Added Rule, N New Rule, R Rescinded Rule)

R Number	Action	2003 MR Issue	R Number	Action	2003 MR Issue	R Number	Action	2003 MR Issue
285.551.1	R	5	285.551.67	R	5	285.642.12	A	15
285.551.4	R	5	285.551.68	R	5	285.642.13	A	15
285.551.6	R	5	285.551.69	R	5	285.818.1	R	15
285.551.9	R	5	285.551.70	R	5	285.818.2	R	15
285.551.11	R	5	285.551.71	R	5	285.818.3	R	15
285.551.13	R	5	285.551.72	R	5	285.818.4	R	15
285.551.15	R	5	285.551.73	R	5	285.818.5	R	15
285.551.16	R	5	285.551.74	R	5	285.818.6	R	15
285.551.17	R	5	285.551.75	R	5	285.818.7	R	15
285.551.18	R	5	285.551.76	R	5	299.2903	*	5
285.551.19	R	5	285.551.77	R	5	299.2905	*	5
285.551.20	R	5	285.551.78	R	5	299.2911	*	5
285.551.21	R	5	285.551.79	R	5	299.2912	*	5
285.551.22	R	5	285.551.81	R	5	299.2916	*	5
285.551.23	R	5	285.551.83	R	5	299.2917	*	5
285.551.24	R	5	285.564.1	*	9	299.2918	*	5
285.551.25	R	5	285.564.2	*	9	299.2920	*	5
285.551.26	R	5	285.564.3	*	9	299.2922	*	5
285.551.27	R	5	285.564.4	*	9	299.2923	*	5
285.551.28	R	5	285.564.5	*	9	299.2924	*	5
285.551.29	R	5	285.564.6	*	9	299.2925	A	5
285.551.30	R	5	285.564.7	*	9	299.2925a	*	5
285.551.41	R	5	285.564.8	*	9	299.2926	*	5
285.551.42	R	5	285.564.9	R	9	299.2927	*	5
285.551.43	R	5	285.564.10	*	9	323.1171	*	1
285.551.44	R	5	285.564.11	*	9	323.1172	*	1
285.551.51	R	5	285.564.13	*	9	323.1173	*	1
285.551.52	R	5	285.642.1	A	15	323.1175	*	1
285.551.53	R	5	285.642.2	A	15	323.1180	*	1
285.551.54	R	5	285.642.3	A	15	323.1181	*	1
285.551.56	R	5	285.642.4	A	15	323.1174	R	1
285.551.58	R	5	285.642.5	A	15	323.2101	*	10
285.551.61	R	5	285.642.6	A	15	323.2102	*	10
285.551.62	R	5	285.642.7	A	15	323.2103	*	10
285.551.63	R	5	285.642.8	A	15	323.2104	*	10
285.551.64	R	5	285.642.9	A	15	323.2106	*	10
285.551.65	R	5	285.642.10	A	15	323.2108	*	10
285.551.66	R	5	285.642.11	A	15	323.2109	*	10

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323.2111	R	10	323.2189	*	10	324.59a	N	2
323.2112	*	10	323.2190	*	10	324.59b	N	2
323.2114	*	10	323.2191	*	10	324.59c	N	2
323.2115	*	10	323.2192	*	10	324.59d	N	2
323.2117	*	10	323.2193	*	10	324.59e	N	2
323.2118	*	10	323.2195	*	10	324.61	N	2
323.2119	*	10	323.3101	*	5	324.62	N	2
323.2121	*	10	323.3102	*	5	324.63	N	2
323.2122	*	10	323.3103	*	5	324.64	N	2
323.2124	*	10	323.3104	*	5	324.65	N	2
323.2125	*	10	323.3105	*	5	324.71	N	2
323.2126	R	10	323.3106	*	5	324.72	N	2
323.2127	*	10	323.3107	*	5	324.73	N	2
323.2128	*	10	323.3108	*	5	324.74	N	2
323.2130	*	10	323.3109	*	5	324.75	N	2
323.2131	*	10	323.3110	*	5	324.81	N	2
323.2133	*	10	324.1	N	2	325.2401	A	15
323.2134	*	10	324.2	N	2	325.2402	A	15
323.2136	*	10	324.3	N	2	325.2403	A	15
323.2137	*	10	324.21	N	2	325.2404	A	15
323.2138	*	10	324.22	N	2	325.2405	A	15
323.2139	*	10	324.23	N	2	325.2410	A	15
323.2140	*	10	324.24	N	2	325.2411	A	15
323.2141	*	10	324.31	N	2	325.2412	A	15
323.2142	*	10	324.32	N	2	325.2413	A	15
323.2145	*	10	324.33	N	2	325.2414	A	15
323.2146	*	10	324.41	N	2	325.2415	A	15
323.2147	*	10	324.42	N	2	325.2416	A	15
323.2149	*	10	324.43	N	2	325.2417	A	15
323.2150	*	10	324.51	N	2	325.2418	A	15
323.2151	*	10	324.52	N	2	325.2419	A	15
323.2153	*	10	324.53	N	2	325.2421	A	15
323.2154	*	10	324.54	N	2	325.2422	A	15
323.2155	*	10	324.55	N	2	325.2424	A	15
323.2159	*	10	324.56	N	2	325.2429	A	15
323.2160	*	10	324.57	N	2	325.2430	A	15
323.2161	*	10	324.58	N	2	325.2431	A	15
323.2161a	A	10	324.59	N	2	325.2434	A	15

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325.2435	A	15	325.10412	*	2	325.13101	*	7
325.2436	A	15	325.10413	*	2	325.13102	*	7
325.2437	A	15	325.10414	*	2	325.13104	*	7
325.2438	A	15	325.10415	*	2	325.13105	*	7
325.2439	A	15	325.10416	*	2	325.13106	*	7
325.2440	A	15	325.10417	*	2	325.13107	*	7
325.2441	A	15	325.10418	*	2	325.13108	*	7
325.2442	A	15	325.10419	*	2	325.13109	*	7
325.2442a	A	15	325.10420	*	2	325.13110	*	7
325.2442b	A	15	325.10604a	*	2	325.13111	*	7
325.2442c	A	15	325.10605	*	2	325.13201	*	7
325.2443	A	15	325.10610	A	2	325.13202	*	7
325.2444	A	15	325.10610a	A	2	325.13205	*	7
325.2445	A	15	325.10610 b	A	2	325.13206	*	7
325.2446	A	15	325.10610c	A	2	325.13207	*	7
325.2447	A	15	325.10611	A	2	325.13208	*	7
325.2448	A	15	325.10611a	A	2	325.13209	R	7
325.10102	*	2	325.10611 b	A	2	325.13211	*	7
325.10103	*	2	325.10702	*	2	325.13212	*	7
325.10104	*	2	325.10704	*	2	325.13213	*	7
325.10105	*	2	325.10706	*	2	325.13301	*	7
325.10106	*	2	325.10707 b	*	2	325.13302	*	7
325.10108	*	2	325.10719	R	2	325.13303	*	7
325.10109	*	2	325.10719a	*	2	325.13304	*	7
325.10308 b	*	2	325.10719 d	*	2	325.13305	*	7
325.10401	*	2	325.10719e	A	2	325.13306	*	7
325.10401a	A	2	325.10719f	A	2	325.13307	*	7
325.10402	*	2	325.10720	*	2	325.13401	R	7
325.10403	*	2	325.10720a	A	2	325.13402	R	7
325.10404	*	2	325.10721	R	2	325.13403	R	7
325.10405	*	2	325.11002 d	*	2	325.13404	R	7
325.10406	*	2	325.11004	R	2	325.13405	R	7
325.10407	*	2	325.11008	*	2	325.13406	R	7
325.10408	*	2	325.11009	R	2	325.13407	R	7
325.10408a	A	2	325.11502	*	2	325.13408	R	7
325.10408 b	A	2	325.11503	R	2	325.13409	R	7
325.10409	*	2	325.11505a	*	2	325.13410	R	7
325.10411	*	2	325.11506	*	2	325.13411	R	7

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325.13412	R	7	325.70108	A	15	338.253	*	1
325.13413	R	7	325.70109	A	15	338.254	*	1
325.13414	R	7	325.70110	A	15	338.255	*	1
325.13415	R	7	325.70111	A	15	339.6001	*	17
325.13416	R	7	325.70112	R	15	339.6003	*	17
325.13417	R	7	325.70113	A	15	339.6039	A	17
325.13418	R	7	325.70114	A	15	339.6045	*	17
325.13501	A	7	336.1101	*	12	339.23101	*	5
325.13503	A	7	336.1103	*	12	400.5106	*	14
325.13505	A	7	336.1106	*	12	408.43i	*	9
325.13507	A	7	336.1114	*	12	408.43s	A	9
325.13509	A	7	336.1116	*	12	408.801	*	1
325.13511	A	7	336.1118	*	12	408.802	*	1
325.13513	A	7	336.1119	*	12	408.803	*	1
325.13515	A	7	336.1122	*	5	408.806	*	1
325.13517	A	7	336.1201	*	12	408.813	*	1
325.13519	A	7	336.1201a	*	12	408.814	*	1
325.13521	A	7	336.1202	*	12	408.821	*	1
325.13523	A	7	336.1203	*	12	408.833	*	1
325.13525	A	7	336.1204	*	12	408.834	*	1
325.13527	A	7	336.1205	*	12	408.837	*	1
325.13529	A	7	336.1206	*	12	408.838	*	1
325.13531	A	7	336.1207	*	12	408.839a	*	1
325.13533	A	7	336.1212	*	12	408.841	*	1
325.13535	A	7	336.1214a	A	12	408.843	*	1
325.13537	A	7	336.1216	*	12	408.844	*	1
325.13539	A	7	336.1219	*	12	408.852	*	1
325.13541	A	7	336.1220	*	12	408.876	*	1
325.13543	A	7	336.1240	*	12	408.876	R	1
325.52501	A	6	336.1241	*	12	408.877	*	1
325.52502	A	6	336.1278	*	12	408.881	*	1
325.52503	A	6	336.1278a	A	12	408.882	*	1
325.52504	A	6	336.1279	R	12	408.885	*	1
325.52505	A	6	336.1281	*	12	408.886	*	1
325.52506	A	6	336.1282	*	12	408.887	*	1
325.70101	A	15	336.1284	*	12	408.891	*	1
325.70102	A	15	336.1285	*	12	408.898	A	1
325.70103	A	15	336.1287	*	12	408.6202	*	14
325.70104	A	15	336.1289	*	12	408.6203	*	14
325.70105	A	15	336.1299	*	12	408.6208	*	14
325.70106	A	15	338.251	*	1	408.6302	*	14
325.70107	A	15	338.252	*	1	408.6303	*	14

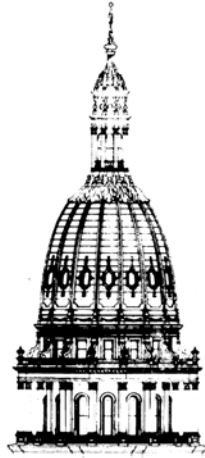
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408.6304	*	14	418.10904	*	4	432.21406	*	6
408.9002	*	14	418.10915	*	4	432.21407	*	6
408.9012	*	14	418.10916	*	4	432.21411	*	6
408.9019	*	14	418.10922	*	4	432.21413	*	6
408.31070	*	5	418.10923	*	4	432.21414	*	6
408.31087	A	5	418.10924	R	4	432.21415	*	6
408.31088	A	5	418.10925	*	4	432.21419	*	6
408.31089	A	5	418.101	*	4	432.21420	*	6
408.31090	A	5	418.1012	*	4	432.21501	*	6
408.41401	*	4	418.10121	*	4	432.21507	*	6
408.41405	A	4	418.1015	*	4	432.21510	*	6
408.41410	A	4	418.1015	A	4	432.21515	*	6
408.41454	R	4	418.1015	A	4	432.21516	*	6
408.41455	*	4	418.1015	A	4	432.21517	*	6
408.41456	*	4	431.2061	A	17	432.21518	*	6
408.41461	*	4	432.21101	*	6	432.21519	*	6
408.41462	*	4	432.21109	*	6	432.21521	*	6
408.41463	*	4	432.21201	*	6	432.21522	*	6
408.41464	*	4	432.21202	*	6	432.21601	*	6
408.41465	*	4	432.21204	*	6	432.21603	*	6
408.41466	*	4	432.21208	*	6	432.21604	*	6
408.41467	*	4	432.21301	*	6	432.21605	*	6
408.41471	*	4	432.21310	*	6	432.21606	*	6
408.41472	*	4	432.21312	*	6	432.21607	*	6
408.41474	*	4	432.21313	*	6	432.21608	*	6
408.41475	*	4	432.21314	*	6	432.21610	*	6
408.41476	*	4	432.21317	*	6	432.21611	*	6
408.41477	*	4	432.21318	*	6	432.21612	*	6
408.41478	*	4	432.21319	*	6	432.21614	*	6
408.41479	*	4	432.21321	*	6	432.21616	*	6
408.41481	*	4	432.21322	*	6	432.21617	*	6
408.41483	*	4	432.21324	*	6	432.21618	*	6
418.10104	*	4	432.21326	*	6	432.21619	*	6
418.10105	*	4	432.21327	*	6	432.21620	*	6
418.10106	*	4	432.21328	*	6	432.21621	*	6
418.10107	*	4	432.21329	*	6	432.21622	*	6
418.10108	*	4	432.21330	*	6	432.21623	*	6
418.10116	*	4	432.21331	*	6	432.21624	*	6
418.10117	*	4	432.21333	*	6	432.21710	*	6
418.10121	*	4	432.21334	*	6	432.21713	*	6
418.10202	*	4	432.21335	*	6	432.21714	*	6
418.10902	A	4	432.21336	*	6	432.21715	*	6

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432.21716	*	6	436.1959	*	10	460.20604	*	14
432.21717	*	6	436.1963	*	10	460.20605	*	14
432.21720	*	6	436.2001	*	10	460.20606	*	14
432.21721	*	6	436.2011	*	10	484.401	A	7
432.21801	*	6	436.2015	*	10	484.402	A	7
432.21803	*	6	436.2017	*	10	484.421	A	7
432.21804	*	6	460.20201	*	14	484.422	A	7
432.21805	*	6	460.20401	*	14	484.423	A	7
432.21806	*	6	460.20402	*	14	484.424	A	7
432.21807	*	6	460.20403	*	14	484.425	A	7
432.21808	*	6	460.20404	*	14	484.431	A	7
432.21809	*	6	460.20405	*	14	484.434	A	7
432.21810	*	6	460.20406	A	14	484.435	A	7
432.21811	*	6	460.20407	A	14	484.438	A	7
432.21812	*	6	460.20408	A	14	484.439	A	7
432.21813	*	6	460.20409	A	14	484.440	A	7
432.21901	*	6	460.20410	A	14	484.440a	A	7
432.21904	*	6	460.20411	A	14	484.440b	A	7
432.21905	*	6	460.20412	A	14	484.440c	A	7
432.21906	*	6	460.20413	A	14	484.441	A	7
432.21907	*	6	460.20414	A	14	484.442	A	7
432.21908	*	6	460.20415	A	14	484.443	A	7
432.21909	*	6	460.20416	A	14	484.444	A	7
432.21910	*	6	460.20417	A	14	484.445	A	7
432.21911	*	6	460.20418	A	14	484.446	A	7
432.22001	*	6	460.20419	A	14	484.451	A	7
432.22003	*	6	460.20420	A	14	484.452	A	7
432.22005	*	6	460.20421	A	14	484.453	A	7
432.22007	*	6	460.20422	A	14	484.454	A	7
432.22008	*	6	460.20423	A	14	484.455	A	7
436.1001	*	10	460.20424	A	14	484.456	A	7
436.1011	*	10	460.20425	A	14	484.457	A	7
436.1037	R	10	460.20426	A	14	484.458	A	7
436.1041	*	10	460.20427	A	14	484.459	A	7
436.1049	*	10	460.20428	A	14	484.460	A	7
436.1051	*	10	460.20429	A	14	484.461	A	7
436.1057	R	10	460.20430	A	14	484.471	A	7
436.1060	A	10	460.20431	A	14			
436.1505	R	10	460.20502	*	14			
436.1951	*	10	460.20601	*	14			
436.1953	*	10	460.20602	*	14			
436.1955	*	10	460.20603	*	14			

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